

## ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; accordingly the House (at 3 o'clock and 8 minutes p. m.), pursuant to its order heretofore entered, adjourned until Monday, March 20, 1944, at 12 o'clock noon.

## COMMITTEE HEARINGS

## COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Land Grants Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Friday, March 17, 1944.

Business to be considered: To begin hearings on H. R. 4184, entitled "To amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic."

## COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will continue its hearings on House Joint Resolution 148 (joint resolution to permit the diversion of waters from Lake Michigan to safeguard the public health) on March 22, 1944, at 10:30 a. m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1302. A communication from the President of the United States, transmitting the budget for the War Relocation Authority of the Department of the Interior for the fiscal year 1945 containing an estimate of appropriation amounting to \$40,100,000 (H. Doc. No. 501); to the Committee on Appropriations and ordered to be printed.

1303. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 14, 1943, submitting a report, together with accompanying papers, on a preliminary examination and survey of Intracoastal Waterway throughout Broward County, Fla., authorized by the Flood Control Act approved on June 22, 1936, and by an act of Congress approved on June 26, 1936; to the Committee on Flood Control.

1304. A letter from the Secretary of War, transmitting a report dated December 10, 1943, from the Chief of Engineers, United States Army, together with accompanying papers, on a preliminary examination and survey of Waimea, Hanapepe, Wailua, and Hanalei Rivers and their tributaries and Kapaa Swamp on the island of Kauai, T. H.; to the Committee on Flood Control.

1305. A letter from the Acting Secretary of the Interior transmitting pursuant to section 16 of the Organic Act of the Virgin Islands of the United States, approved June 22, 1936; one copy each of various legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. S. 1157. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of providing such training of State and Territorial military forces as is deemed necessary to enable them to execute their internal security responsibilities within their respective States and Territories; without amendment (Rept. No. 1262). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1250. An act to repeal section 2 of the act approved May 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease, due to misconduct; without amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H. R. 4420. A bill to amend the Reconstruction Finance Corporation Act by adding a new title thereto relating to the sale or other disposition of surplus property of the United States; to the Committee on Banking and Currency.

By Mr. VINSON of Georgia:

H. R. 4421. A bill authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes; to the Committee on Naval Affairs.

By Mr. NORRELL:

H. R. 4422. A bill relating to certain Japanese residents of the United States and to certain citizens of Japanese descent found to be unfriendly to the United States; to the Committee on the Judiciary.

By Mr. COOLEY:

H. R. 4423. A bill to establish State offices in the Bureau of Mines; to the Committee on Mines and Mining.

By Mr. KEARNEY:

H. R. 4424. A bill to amend the Mustering-Out Payment Act of 1944 so as to provide mustering-out payments for certain persons discharged or relieved from active service in the armed forces to accept employment; to the Committee on Military Affairs.

By Mr. SPARKMAN:

H. R. 4425. A bill to incorporate the Regular Veterans Association; to the Committee on the Judiciary.

By Mr. DAWSON:

H. Res. 472. Resolution to create a special committee to make a full and complete study and investigation of race relations in the United States; to the Committee on Rules.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By The SPEAKER: Memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to express to Congress of the United States its respectful and firm opposition to have the people of Puerto Rico deprived of its revenue on rum; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country; to the Committee on Foreign Affairs.

## SENATE

MONDAY, MARCH 20, 1944

(Legislative day of Monday, February 7, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we turn to Thee, driven by our drained lives, with tension of the present, anxiety about the future, deep concern about ourselves, our dear ones, our Nation, and our world. As we play our part in days of destiny, with all mankind standing in the valley of decision, we seek the sanctuary of prayer. Entering its gates of peace, we bow for this dedicated moment at a shrine of the spirit, apart from the clamor of the world, from the pull of conflicting opinions, and from the rivalry of personal loyalties. In Thy loving kindness and in Thy tender mercy look upon us; empower us, sustain us, as, toiling feverishly, our strength unequal to our task, we turn again to respond to the call of the world's great need.

In the midst of the dismaying circumstances of our times, open for us the crystal fountain whence the healing waters flow. Towering o'er the wrecks of time, may our eyes behold the conquering sign of a rugged cross and our ears, attuned to the infinite, catch the clear accents of the inevitable Christ, declaring, "I will draw all men unto me." We ask it in His ever-blessed name. Amen.

## THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 16, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—  
APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On March 16, 1944:

S. 776. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment on the claim of Louis H. Pink, superintendent of insurance of the State of New York, or his statutory successor, as statutory liquidator of New York Indemnity Co., against the United States;

S. 1337. An act to extend the time within which the States of Montana, North Dakota, and Wyoming may negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; and

S. 1549. An act for the relief of Vern M. Stanchfield.

On March 17, 1944:

S. 1146. An act to amend section 31 of the Securities Exchange Act of 1934.

## ENROLLED BILL SIGNED

The VICE PRESIDENT affixed his signature to the enrolled bill (S. 1285) to

facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and to amend the act of September 16, 1942, and for other purposes, which had been signed previously by the Speaker of the House of Representatives.

#### ACTION BY VERMONT TO ASSURE VOTING BY SOLDIERS

The VICE PRESIDENT. Under the arrangement arrived at last Friday the Senator from New York [Mr. MEAD] is entitled to the floor.

Mr. AUSTIN. Mr. President, I ask the Senator from New York if he is willing to let me take about 2 minutes in order that I may place certain matter in the RECORD?

Mr. MEAD. I am very glad to yield to the Senator from Vermont, with the understanding that I may resume the floor after he shall have concluded.

Mr. AUSTIN. Mr. President, one of the matters I wish to read: In the Burlington Free Press of March 18 appears the following news item:

Vermont becomes first State authorized by State law to use the Federal ballot.

Governor Wills signs servicemen's vote bill—

Then there are other matters before I come to the following text:

The soldier vote bill provides three methods of voting for service men or women in the regular or auxiliary forces. Application for ballots may be made by a member of the family or household to the town clerk and forwarded to the voter; the service men or women may apply directly for a ballot; or by Federal ballot, if available.

"Vermont has kept the faith."

In signing the soldier ballot bill, Governor Wills issued this statement:

"Final enactment today—

Which was March 17, St. Patrick's Day—

"Final enactment today of amendments to our election laws makes available to Vermonters serving in the armed forces the same advantages that will be available to civilian voters who enter the polling booth on election day.

"The use of the Federal ballot was authorized in Vermont by the bill passed by the Vermont Legislature and signed by me today.

"No Vermonter, therefore, will be denied the full voting opportunity to which he is justly entitled unless the President decides to veto the soldier ballot measure now before him.

"The State ballot will be available, of course, irrespective of the action the President may take.

"I strongly feel that Vermont has kept the faith."

Governor Wills further pointed out that Vermont was the first State to recognize, officially, that "a state of war existed"—this in September of 1941, 3 months before Pearl Harbor and the formal declaration of war by the Congress.

Now, the Governor pointed out, Vermont is the first State in the Union, after passage by the Congress of the Federal ballot law, to authorize the use of the Federal ballot.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. HATCH. From the article which the Senator has just read, as I under-

stand, Vermont has provided a State ballot, but in addition to that Vermont has authorized the use of the Federal ballot if the State ballot is not available to the soldiers.

Mr. AUSTIN. That is correct.

Mr. HATCH. Is the use of the Federal ballot confined to soldiers overseas?

Mr. AUSTIN. No; if I understand correctly the action which has been taken, it is an undertaking by the legislature of the State to recognize the ballot provided by the Congress. It is a matter of recognizing and counting the Federal ballot which the Congress has provided for and which would be available to the soldier under the provisions of that law, as inquired by the Senator from New Mexico, but I understand that there are no additional conditions imposed upon its use.

Mr. HATCH. If I understand the Senator correctly, then, so far as the Federal ballot is concerned, Vermont has made effective title III of the act as it was passed subject only to the conditions pertaining to that title.

Mr. AUSTIN. I think that is all.

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

##### EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report for the fiscal year ended June 30, 1943, of the Exchange Stabilization Fund, including a summary of operations of the fund from its establishment to June 30, 1943 (with an accompanying report); to the Committee on Banking and Currency.

##### SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Attorney General, reporting, pursuant to law, all of the facts and pertinent provisions of law in the cases of 131 individuals whose deportation has been suspended for more than 6 months under authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

##### FUTURE STATUS OF FUNCTIONS AND PERSONNEL TRANSFERRED TO THE COAST GUARD

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to provide for the future status of certain functions and personnel transferred to the United States Coast Guard, and for other purposes (with an accompanying paper); to the Committee on Commerce.

##### PAYMENT FOR CERTAIN ANNUAL LEAVE, INTERIOR DEPARTMENT

A letter from the Secretary of the Interior transmitting a draft of proposed legislation to provide for lump-sum payment of compensation for accumulated annual leave and current accrued annual leave to certain officers and employees, and authorizing the appropriation of funds for that purpose (with an accompanying paper); to the Committee on Civil Service.

##### PERSONNEL REQUIREMENTS, INTERIOR DEPARTMENT

A letter from the First Assistant Secretary of the Interior, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, for several offices under the Interior Department (with accompanying papers); to the Committee on Civil Service.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of Virginia; to the Committee on Finance;

##### "House Joint Resolution 44

"House joint resolution memorializing the Congress of the United States to adopt legislation to provide counties, cities, and towns with compensation in lieu of taxes lost by reason of acquisition of property by the Federal Government

"Whereas Virginia counties, cities, and towns are suffering tremendous losses of tax income by reason of acquisition of property by the Federal Government and its removal from the local tax ratables; and

"Whereas a tabulation of tax-exempt property in Virginia made in 1943 shows that the Federal Government had acquired at that time property in various parts of the State aggregating over 2,100,000 acres, and with a total value in excess of \$250,000,000; and

"Whereas the costs of war should be borne by the citizens of the Nation as a whole, but in the case of Federal acquisition of real property for war purposes a heavy tax burden is unjustly imposed upon those taxpayers remaining in the community from which taxable areas have been removed by Federal acquisition; and

"Whereas the loss being suffered in Virginia is constantly increasing through Federal acquisition of additional property, and the growing seriousness of the problem calls for speedy action and early solution: Now, therefore, be it

"Resolved by the House of Delegates of Virginia, the Senate concurring:

"1. That the Congress of the United States is hereby requested to give its earliest possible attention to the adoption of legislation which will provide counties, cities, and towns with compensation in lieu of taxes lost by reason of Federal Government acquisition of property for war purposes.

"2. That the clerk of the house of delegates is hereby directed to forward a copy of this resolution to the Members of the United States Senate representing Virginia, to the Virginia Members of the House of Representatives, to the Secretary of the United States Senate, and to the Clerk of the House of Representatives."

Senate Resolution No. 3 of the Legislature of Puerto Rico; to the Committee on Agriculture and Forestry:

##### "Senate Resolution 3

"Resolution to request the President of the United States of America, and the Senate and the House of Representatives of the United States, to prescribe whatever may be necessary for the purpose of continuing the system of food distribution in Puerto Rico during the period of war, under the responsibility of the institution O. D. (formerly F. D. A.) and to continue also the appropriation which was passed by the Senate of the United States to provide subsidies for the basic food products exported to Puerto Rico under Government responsibility, and for other purposes

"Whereas it has come to the knowledge of the people of Puerto Rico that importing interests of Puerto Rico, and United States exporters of food products for Puerto Rico, are active in the executive and legislative branches in Washington to have the control of the distribution of food during the war returned to Puerto Rican importers;

"Whereas the harm that the consumers of the island would suffer by the return of the control of foods during the war to Puerto Rican importers would be considerable;

"Whereas it is generally known that such interests have secured the attention of sev-



eral Congressmen, of persons influential in the administration, and of executive officials, to the extent that several such persons have made statements favorable to the end sought by the vested interests of Puerto Rico and the United States in regard to foods for Puerto Rico;

"Whereas if the demand of these interests, which concern scarcely several dozen importers, should become a reality, Puerto Rico would run the risk of losing the assistance that it is receiving from the Federal Government—assistance that in Puerto Rico is fully justified by the extremely low level of income of the great majority of the population—which would carry with it a rise in the prices of basic foods, to the prejudice, very especially, of the poor classes of this country, because of the increase in the cost of living in serious disproportion to the earning power of the people;

"Whereas it would be practically impossible for the office of the O. P. A. in Puerto Rico to keep control of prices adequate to the prevailing condition among the poor classes, if the importation and distribution of the basic foods most necessary for the consumption of the island should escape from the reins of the Federal Government while the war emergency lasts, with a very possible threat of the black market;

"Whereas it cannot be guaranteed, upon the Government's giving up of the control of food during the war emergency, that Puerto Rico would be assured a sufficient amount of foodstuffs, since the only security of furnishing foodstuffs in an island like Puerto Rico during the war depends on the control and the facilities of the Federal Government: Now, therefore, be it

*"Resolved, etc.:*

"1. To request the President of the United States of America, the Honorable Franklin Delano Roosevelt, and the Senate and the House of the United States, that the present system of food distribution in Puerto Rico be kept under the control of the Departments of the Interior and of Agriculture in Washington, during the emergency condition caused by the war.

"2. To request that subsidies which up to the present have been given to the basic products for the food of our people be maintained, thus keeping prices at a level compatible with the limited incomes of the poor classes of Puerto Rico.

"3. That a copy of this resolution be transmitted to the President of the United States, to the presiding officers of the House and of the Senate of the United States, to the chairman of the Committee on Territories of the Senate, the chairman of the Committee on Insular Affairs of the House, to the Chavez committee, to the Secretary of the Interior, to the Secretary of Agriculture, to the Governor of Puerto Rico, and to the Resident Commissioner for Puerto Rico in Washington."

A resolution by the City Council of Cambridge, Mass., favoring the enactment of legislation to substantially reduce the cost to policyholders of war-damage insurance; to the Committee on Banking and Currency.

By Mr. TAFT:

The petition of members of the Overseas League and sundry citizens of Cleveland, Ohio, praying for the enactment of legislation to make effective a plan of rotation of troops in foreign service whereby all men who have served abroad for 1 year or more may be returned to the United States for a like period, being replaced in such foreign service by men now stationed in this country; to the Committee on Military Affairs.

#### RESOLUTION OF VERMONT LEGISLATURE—VETERANS' BENEFITS

Mr. AUSTIN. Mr. President, I ask leave to present and to have printed in the RECORD and appropriately referred a resolution adopted by the General As-

sembly of the State of Vermont, with the accompanying letter.

There being no objection, the letter and resolution were ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF VERMONT,  
Montpelier, March 17, 1944.

Hon. WARREN R. AUSTIN,  
United States Senate,  
Washington, D. C.

DEAR SENATOR AUSTIN: Enclosed herewith is a certified copy of House Joint Resolution 10, "Joint resolution relating to Federal legislation providing benefits for veterans of the present war," approved March 16, 1944.

Sincerely yours,

RAWSON C. MYRICK,  
Secretary of State.

Whereas there are many and varied bills now before the United States Congress, the object of which is to provide diverse types of benefits for the veterans of the present war; and

Whereas after careful study there has been sponsored by the American Legion and introduced in the Congress a comprehensive bill known as the GI bill of rights, in which are incorporated provisions that will be of immediate benefit and lasting value to the service men and women upon their separation from service: Therefore be it

*Resolved by the senate and house of representatives,* That the Vermont delegation in the Congress be urged to support the principles incorporated in this particular measure; and be it further

*Resolved,* That the secretary of state be, and he hereby is, instructed to forward to each Senator and the Representative of this State in the Congress, and to the national commander of the American Legion, a copy of this resolution.

ASA S. BLOOMER,  
Speaker of the House of Representatives.  
MORTIMER R. PROCTOR,  
President of the Senate.  
Approved March 16, 1944.

WM. H. WILLS,  
Governor.

#### RESOLUTION OF BATAAN RELIEF ORGANIZATION

Mr. WHEELER. I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution sent to me from Montana on behalf of the Bataan Relief Organization.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas Gen. George C. Marshall, Chief of the United States Army, in his report of September 11, 1943, published in Army Time, a daily news bulletin, Washington 5, D. C., stated that on July 1, 1941, the international situation was extremely critical and that menacing preparations of Japan in the Pacific prefaced attacks upon the British and Dutch possessions and the Philippines, and that in view of these potentialities orders had been issued in February 1941, to evacuate dependents of Army personnel stationed there; and

Whereas in the late summer of 1941 troops were ordered to the Philippines; and

Whereas pertinent statements of our Chief of Staff show beyond any doubt that those in authority knew that war with Japan was inevitable and in view of these potentialities and the American-Japanese negotiations in process in the late summer and fall of 1941, the American people naturally assumed that the administration, Army and Navy officials entrusted with the guarding of our Nation's safety would be on the alert sufficiently to

prevent any possibility of such an attack as occurred at Pearl Harbor, as was their duty, according to their oaths of office; and

Whereas the removal from active duty of two high-ranking Army and Navy officers entrusted with the defense of Pearl Harbor can obviously be rightfully taken by the American people as an admission of criminal negligence since that negligence jeopardized the life and freedom of our entire Nation and it is beyond question of doubt that their dereliction of duty brought about the extent of the catastrophe at Pearl Harbor and the needless loss of many thousands of American lives and there is a question in the minds of American people as to whether that dereliction of duty ended with the responsibility of those two officers or whether it extends to other military and naval officers or of some civil authorities in high position; and

Whereas the problem of responsibility for the catastrophe at Pearl Harbor must be solved if the Nation is to obtain the highest degree of morale, which is necessary for a complete, all-out war effort; and

Whereas a train crew in charge of a passenger train would at least be charged with manslaughter if it neglected its duty to the extent of the loss of one human life, men under oath of office entrusted with the Nation's safety neglect their responsibility to the extent that thousands of lives are lost directly and thousands of others are needlessly sacrificed to the fate of years of imprisonment in Japanese prison camps as a result and yet after 2 years a thorough investigation has not been made or responsibility fixed or the American people advised as to where the responsibility lies; and

Whereas it cannot now be asserted as a reason for not fixing the responsibility as to do so might hamper the war effort and it is most obvious that the removal of the men responsible for the many defeats in the Pacific in the early days of the war emanates from the primary defeat at Pearl Harbor, is imperative if we are to obtain and maintain the most efficient direction of the war effort, and that the removal of those responsible will raise the morale not only on the home front, but also among our fighting forces, who are required to serve under provided leadership; and

Whereas denial of food, medical, and other supplies to our fighting men at Bataan and Corregidor, who were sent to the Pacific to defend the American right and protection of our flag resulted in needless sacrifice and torture at the hands of a known ruthless enemy and the veracity of all statements made at that time and since, that it was impossible to send them aid, is seriously questioned by us; and

Whereas it is our opinion that adherence to the prescribed duties of those charged with the protection of America and in accordance with traditional humanitarian principles of America would have prevented the enormous loss of life before and after the surrender of Bataan, Corregidor, Guam, and Wake, and it is our further opinion that the dereliction of duty of those in authority constitutes the writing of the blackest page in American history and the resulting torture of the mothers, wives, and other relatives of the heroes of Bataan and Corregidor, caused by the diabolical atrocities so heartlessly described in the Army and Navy release of January 28, 1944, is the acknowledged signature of that black page. Now, therefore, be it

*Resolved,* That the Bataan Relief Organization (B. R. O.) and its affiliates representing the mothers, fathers, wives, and other relatives, sweethearts, and friends of our sacrificed men in our armed forces in the Pacific, who lost their lives and the others who are left and who are suffering the most intense mental and physical anguish, are entitled as free Americans to petition the Congress of the

United States, in accordance with the Constitution, for an immediate and thorough investigation to fix the responsibility and guilt of those in authority in order to bring about the speedy conclusion of this case, regardless of whom it may involve; and be it further

*Resolved*, That after termination of such investigation that trial by court martial proceedings, impeachment, or any other means necessary to bring about immediate justice and thorough punishment of those found guilty of the dereliction of duty which they accepted when they took their oaths of office, shall be instituted.

BATAAN RELIEF ORGANIZATION,  
OPAL I. BARTHOFF, *President*.

Attest:

JOE FAMACHE, Sr.,  
*Secretary*.

#### RESOLUTION BY WICHITA (KANS.) INDEPENDENT SERVICE STATION OPERATORS' RELIEF ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to present and to have printed in the RECORD and appropriately referred a resolution adopted on February 29, 1944, by the Wichita (Kans.) Independent Service Station Operators' Relief Association which protests against action taken by the O. P. A. Commissioner without any right of appeal to the courts.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Whereas in wartime it is necessary that good citizens submit cheerfully and patriotically to regulatory laws such as the Price Control Act which is operated by the Office of Price Administration; and

Whereas it is un-American, unnecessary, and unreasonable that such acts be enforced by star-chamber methods and that citizens of the United States be deprived of their constitutional rights, including their day in court; and

Whereas it is unconstitutional, un-American, unpatriotic, and unfair for said act to be enforced by an O. P. A. commissioner who acts as judge, jury, prosecutor, and bailiff all rolled into one without any right to appeal to the courts of the State or Nation; and

Whereas such "kangaroo" courts suspend citizens from business as a penalty for alleged violations of regulations and this suspension without recourse to duly constituted courts denies the citizen his right to his livelihood in violation of the fifth amendment to the Constitution of the United States, providing that no citizen shall be deprived of life, liberty, or property without due process of law—such trials before a hearing commissioner not being due process of law; and

Whereas it is the duty of all good citizens to maintain freedom on the home front while our boys are fighting and dying for it on the battle fronts: Now, therefore, be it hereby

*Resolved by the Wichita Independent Service Station Operators' Relief Association:*

1. That Congress be petitioned to amend the Price Control Act so that all alleged violations of said law or regulations promulgated thereunder will be prosecuted and tried in the duly constituted courts of our State or Nation.

2. That we enlist the support of all other interested citizens in bringing this matter to the attention of Congress and in attempting to obtain prompt, proper, and effective congressional action; and

3. That we keep faith with our boys who are offering their lives on foreign seas and shores to prevent despotism from being imposed upon us from without by pledging our

consecrated efforts, our fortunes, and our sacred honor to prevent tyranny from being imposed upon us from within while they are away.

K. H. BURTON,  
*President*.

PAUL JESSUP,  
*Vice President*.

FRANCES MARKOWITZ,  
*Secretary-Treasurer*.

#### PROTEST AGAINST THE ENACTMENT OF NATIONAL SERVICE LEGISLATION

Mr. CAPPER. Mr. President, I also ask unanimous consent to present a letter containing a statement which I have received from John D. O'Brien, secretary of the Topeka (Kans.) Federation of Santa Fe Railroad Shop Crafts, informing me of the action of that organization in taking a stand against the national service bill. I request that the letter be printed in the RECORD and appropriately referred.

There being no objection, the letter was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

TOPEKA LOCAL FEDERATION OF  
SANTA FE RAILROAD SHOP CRAFTS,  
Topeka, Kans., March 6, 1944.

Mr. ARTHUR CAPPER,  
*United States Senator*,  
*Senate Office Building*,  
*Washington, D. C.*

DEAR SENATOR: At a well-attended meeting of the above body which, as the name implies, represents the large number of machinists, boiler-makers, blacksmiths, sheet-metal workers, carmen, firemen, oilers, and shop laborers, together with their helpers and apprentices, employed in the local shops of the Santa Fe Railway Co. it was decided after mature consideration to communicate with you and express our unanimous opposition to the enactment of the above proposed legislation, and to respectfully request and urge that you oppose it in the Senate by every legitimate means. Thanking you, I remain,

Yours truly,

JOHN D. O'BRIEN,  
*Secretary*.

#### RESOLUTION BY SENATE OF PUERTO RICO—TAXES FROM SALE OF PUERTO RICAN RUM

Mr. LANGER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter addressed to me by the secretary of the Senate of Puerto Rico, together with a resolution adopted by the Puerto Rican Senate.

There being no objection, the letter and resolution were referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

SENATE OF PUERTO RICO,  
March 3, 1944.

Hon. WILLIAM LANGER,  
*Senate Office Building*,  
*Washington, D. C.*

SIR: By direction of the Senate of Puerto Rico, I have the honor to transmit herewith copy of Senate Resolution 2, approved March 3, 1944.

Said resolution was unanimously adopted with the votes of all Senators present from all political parties represented at the Senate of Puerto Rico.

Respectfully yours,

Y. SOLÁ MORALES,  
*Secretary, Senate of Puerto Rico*.

Whereas there is pending in the Congress in Washington, legislation to deprive Puerto

Rico of the taxes collected on the sale of Puerto Rican rum in the United States;

Whereas for more than 40 years the people of Puerto Rico have enjoyed the right to use and dispose of these taxes in accordance with the laws of its legislature; and

Whereas the increase in these taxes is practically the only favorable factor caused in Puerto Rico by the war, in the midst of the many sufferings which the war has caused our people and which our people are bearing in a spirit of sacrifice and comprehension in defense of the great democratic principles: Now, therefore, be it

*Resolved by the Senate of Puerto Rico*, To express to the Congress of the United States its respectful and firm opposition to having the people of Puerto Rico deprived of the right, which it has enjoyed for more than 40 years, to dispose of those taxes through the legislature and for such purposes as the legislature, in representation of the people, believes of the greatest utility and benefit to Puerto Ricans.

#### RESOLUTIONS BY DISTRICT CONFERENCE OF UNITED PACKINGHOUSE WORKERS OF AMERICA

Mr. LANGER. Mr. President, I also ask unanimous consent to present for appropriate reference and printing in the RECORD a letter addressed to me by the district director of district No. 2, United Packinghouse Workers of America and several resolutions adopted by the conference.

There being no objection, the letter and resolutions were ordered to be printed in the RECORD and appropriately referred, as follows:

To the Committee on Banking and Currency:

UNITED PACKINGHOUSE WORKERS  
OF AMERICA,

Chicago, Ill., March 14, 1944.

Hon. Senator WILLIAM LANGER,  
*Senate Office Building*,  
*Washington, D. C.*

DEAR SIR: Enclosed find copies of the resolutions passed at the district conference of the United Packinghouse Workers of America, C. I. O., on March 12, 1944.

This action was taken by the delegates attending this conference, and I hope that you will give this matter serious consideration.

Sincerely yours,

GLENN CHINANDER,  
*District Director, District*  
*No. 2, U. P. W. A.—C. I. O.,*  
*South St. Paul, Minn.*

#### Resolution 7

Subsidies for price control

Whereas—

(1) The control of prices and living costs is a basic necessity to keep food and other vital commodities within the reach of the people of the Nation, and to preserve the health and morale of the home front; and

(2) The control and reduction of price levels require that funds be available for subsidies to keep production of food and other cost-of-living commodities at highest levels while protecting the people of the Nation against exorbitant prices; and

(3) Powerful groups in the Halls of Congress, operating in opposition to the best interests of the working farmers, the war workers, and all of the people of the Nation, have been actively engaged in sabotaging and knifing measures which would make funds available in accordance with the request of the President for subsidies to prevent increases in the price of such vital commodities as milk; and

(4) A group of Members of Congress responsive to the needs of the Nation have joined together under the leadership of Con-



gressmen SCANLON, McMURRAY, and others, to organize effective congressional action in support of real price control, and in opposition to the activities of those Congressmen seeking higher prices: Now, therefore, be it

*Resolved—*

(1) That district No. 2, U. P. W. A.-C. I. O., hails the activities of those Members of Congress who have rallied together in support of the price-control program; and

(2) We call upon all Members of Congress to join in the fight for effective price control; and

(3) We call upon Congress to reject the efforts of the inflation-bent bloc, and to enact the measures necessary to assure full control of prices of cost-of-living commodities, including measures to make available adequate funds for subsidies or other payments to prevent any increase in prices and to protect the farmers and the small businessman; and be it further

*Resolved*, That a copy of this resolution be sent to President Franklin D. Roosevelt, and all Senators and Congressmen in the States of Minnesota, Montana, Wisconsin, North Dakota, and South Dakota.

Ordered to lie on the table:

#### Resolution 3

##### Poll tax

Whereas the elimination of the poll-tax requirement, which in eight of our States places a price tag on the right to vote, has long been recognized as a necessary step toward the perfection of our democratic structure. In the war period it becomes more and more apparent that this step is a military necessity, and that our failure to take this step is playing into the hands of our enemies: Therefore be it

*Resolved*, That District No. 2, U. P. W. A.-C. I. O., calls upon the Senators of the State of Minnesota to discharge their obligation to the people of the Nation, and enact forthwith this legislation eliminating the poll tax, and not to permit or tolerate any unscrupulous filibuster on the part of the clique of poll-tax Senators intent on preserving their personal political position with a callous disregard of the national emergency and popular will; and be it further

*Resolved*, That a copy of this resolution be sent to the Senators of the States of Minnesota, North Dakota, South Dakota, Montana, and northwest Wisconsin.

#### Resolution 4

##### Social security

Whereas—

(1) Bills have been introduced in the Senate and House of Representatives of the United States Congress by Senators WAGNER, MURRAY, and Representative DINGELL which provide for an improved program of social security;

(2) These bills expand the scope of and provide for increased benefits for unemployment compensation which would be placed on a Federal basis, old-age security, permanent disability, and for a program of health insurance which meet immediate needs, in addition to making provision for the post-war period: Now, therefore, be it

*Resolved—*

(1) This conference of District No. 2, U. P. W. A.-C. I. O., endorses wholeheartedly the benefit program incorporated in the Wagner-Murray-Dingell bill;

(2) It calls upon Congress to incorporate in the presently pending tax legislation, the provisions of the Wagner-Murray-Dingell bill with appropriate changes to provide for an equitable allocation of the increased cost between the employees, the employers, and the Government; and be it further

*Resolved*, That a copy of this resolution be sent to all Senators and Congressmen in the States of Minnesota, Montana, Wisconsin, North Dakota, and South Dakota.

#### Resolution 8

Whereas over 11,000,000 men and women serving in the armed forces of which more than 2,000,000 are members of organized labor, having the constitutional right to vote in the 1944 elections.

2. The only adequate assurance that our soldiers will be given the chance to vote is through the passage of a unified simple Federal ballot, as provided in the Green-Lucas bill now before Congress.

3. The Rankin-Eastland bill which throws the problem of the soldiers' vote back on the States, is a fraud and has been so characterized by President Roosevelt, and is supported only by those Members of Congress who admittedly wish to prevent the soldiers' vote from being cast.

4. State action to provide absentee ballots for soldiers such as has recently been provided by a special session of the Minnesota Legislature is commendable, but not adequate: Therefore be it

*Resolved*, That this conference of district No. 2, U. P. W. A.-C. I. O., meeting in South St. Paul, Minn., March 12, 1944, representing 16 locals and 8,000 members in Minnesota, North Dakota, South Dakota, Montana, and northwest Wisconsin, goes on record emphatically in favor of passage of the Green-Lucas bill providing for a unified Federal ballot for soldiers; be it further

*Resolved*, That we members of the C. I. O. invite all other groups and individuals in these States, A. F. of L., railroad workers, farmers, businessmen, professional, and other groups to cooperate with us to bring about the passage of this bill, thereby assuring our soldiers the right to vote; be it further

*Resolved*, We urge delegates of local unions represented at this conference to get their members to write or send suitable letters and telegrams to their Representatives in Congress, to circularize this resolution as a leaflet to the general public, and to use it to secure cooperation of other labor and non-labor groups in mobilizing support for the Federal soldiers' vote; be it finally

*Resolved*, Copies of this resolution be sent to all Senators and Representatives in Congress from the five States, and to Senators GREEN and LUCAS, and Representative WORLEY, chairman of the House Elections Committee, and to the appropriate newspapers for publication.

#### REPORT OF FINANCE COMMITTEE DURING RECESS

Under authority of the order of the 16th instant,

Mr. CLARK of Missouri, from the Committee on Finance, to which was referred the bill (S. 1767) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, reported it with amendments on March 18, 1944, and submitted a report (No. 755) thereon.

#### ENROLLED BILL PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on March 17, 1944, that committee presented to the President of the United States the enrolled bill (S. 1589) for the relief of C. Guy Evans, Garland Mineral Springs, Index, Wash.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAILEY:

S. 1788. A bill to provide for the future status of certain functions and personnel transferred to the United States Coast Guard, and for other purposes; to the Committee on Commerce.

By Mr. McKELLAR:

S. 1789. A bill for the relief of the city of Memphis, Tenn., and Memphis Park Commission (with an accompanying paper); to the Committee on Claims.

(Mr. McCARRAN introduced Senate bill 1790, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. DOWNEY:

S. 1791. A bill to provide a night differential for employees of the Government of the United States and of the government of the District of Columbia; to the Committee on Civil Service.

By Mr. WHEELER:

S. 1792. A bill to extend for 2 additional years the reduced rates of interest on Federal land bank and Land Bank Commissioner loans; to the Committee on Banking and Currency.

By Mr. RADCLIFFE:

S. 1793. A bill to permit the naturalization of foreign seamen who serve on American-owned vessels for a period of at least 3 years while the United States is at war; to the Committee on Immigration.

Mr. CLARK of Missouri. Mr. President, the senior Senator from Illinois [Mr. LUCAS] is necessarily out of the city on important public business. He has asked me in his behalf to request unanimous consent to introduce a bill for disposing of certain lands which have been taken by the Government for public purposes which are about to be disposed of to private ownership. I ask unanimous consent that I may introduce the bill for the Senator from Illinois.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

By Mr. CLARK of Missouri (for Mr. LUCAS):

S. 1794. A bill to provide that, in disposing of lands which have been acquired by the United States for national defense or war purposes, a preference shall be given to the former owners of such lands or their successors in interest; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. 1795. A bill to amend that portion of the act approved June 30, 1906 (34 Stat. 697, 750), authorizing the settlement of accounts of deceased officers and enlisted men of the Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. TYDINGS:

S. 1796. A bill for the relief of Ellen R. Riley and Harriot C. Riley; to the Committee on Claims.

By Mr. CLARK of Idaho:

S. 1797. A bill relating to the granting of commissions to members of the armed forces who have had training under the Civil Aeronautics Administration war-training service program; to the Committee on Military Affairs.

Mr. GUFFEY. Mr. President, on behalf of the Senator from Missouri [Mr. CLARK] and myself, I ask consent to introduce for appropriate reference a bill to require that all appointees to positions in the Federal Government shall be qualified voters.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

By Mr. GUFFEY (for himself and Mr. CLARK of Missouri):

S. 1798. A bill to require that appointees to positions in the Federal Government shall be qualified voters; to the Committee on the Judiciary.

## REGULATION OF CIVIL AERONAUTICS

Mr. McCARRAN. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nevada?

Mr. MEAD. I yield.

Mr. McCARRAN. I am grateful to the Senator from New York for yielding to me at this time that I may make a few brief preliminary explanatory statements with reference to a bill I am about to introduce.

Mr. President, my first assignment to a committee, after I became a Member of the Senate, was to a special committee known as the Ocean Mail and Air Mail Subsidy Committee. The chairman was Senator Black, of Alabama, who is now distinguishing himself upon the Supreme Court of the United States.

For a year we went into an intensive study of ocean-mail and air-mail subsidies, in the course of which the matter of aviation became a subject exceedingly interesting to the Senator from Nevada.

In 1934 I set about to write what I thought would be a proper law for aviation. Between 1934 and 1938 I prepared and introduced a number of bills in an attempt to write the law of aviation for the United States. Those bills were variously referred. The first went to the Committee on Interstate Commerce. Hearings were held on the bill, and a measure was reported to the Senate. The Senate considered it, but for one reason or another it was not finally adopted.

Again we wrote a measure embodying the law of aviation as we thought it should be. Finally, in 1938, after a long study of the subject, we had the privilege of seeing our bill in part adopted, and it is now, although much changed by Executive order, the law of aviation of the United States.

The conference committee which dealt with that bill engaged in that which is always essential in bringing about legislation, namely, compromise. Many parts of the legislative proposal, when they came to the floor of the Senate by way of report from the conference committee, were not satisfactory to the author of the bill.

From 1938 until the present time, I have given my untiring efforts to a study of the subject of aviation. I have called to my assistance for conference and advice nearly every agency and individual engaged in or interested in aviation. From every standpoint the senior Senator from Nevada has attempted to make a thorough and comprehensive study to determine what should be the law of aviation for a nation which should go forward with that great instrumentality for commerce.

With that in mind, during the last several years, and especially since last August or thereabouts, I have devoted much of my time to an effort to formulate what to my mind would be the best law for aviation for the future, and today I am about to introduce for proper reference the bill I have finally worked out.

Mr. President, I think it is due to my colleagues on the floor of the Senate that a very brief statement be made of the

bill and its general policy. The bill would set aside the present arrangement of the Civil Aeronautics Administration and would abolish the Civil Aeronautics Board as it now exists, and in place of the Civil Aeronautics Administration, as at present constituted by this bill, there would be set up an independent agency, known as the Civil Aeronautics Authority, composed of seven members, to be appointed by the President and confirmed by the Senate. That Civil Aeronautics Authority would be an independent agency, independent of all other departments, and the Administrator, as he now exists, would be appointed as an executive officer by the Civil Aeronautics Authority, and he would assume such duties and responsibilities as the Civil Aeronautics Authority may assign to him.

Mr. President, there is no need for question as to the policy which the author of the bill would establish. The bill defines States' rights in no uncertain terms, both by way of declaration of policy and by way of legislative prescription. The bill would clarify the atmosphere so that the rights, privileges, and immunities which belong to the States and the people thereof, and do not belong to interstate commerce, would be retained by the States insofar as civil aviation is concerned. The rights which by constitutional prescription belong under interstate commerce are assigned to and are recognized to be in the Federal Government.

Many controversies have arisen as to what, under existing law, are the rights of a private flyer. Many who are interested in private flying throughout the country have questioned why they should be curtailed in their activities. So the bill would definitely define a private flyer, and what his rights are under the law. In the bill we write for him a bill of rights so that the private flyer, so long as he abides by the rules and regulations with respect to safety, may, generally speaking, have freedom of activity.

In the bill we again set up an air safety board, independent in its creation and in its action, to be appointed by the President, each member to have certain qualifications fitting him for his position in that great work. The safety board is definitely defined and its powers are definitely set out in the bill.

The bill in clear and distinct language states what the author believes should be the policy for the United States of America. It provides that the United States of America shall retain sovereignty in the air over the continental United States and its waters and Territorial possessions. It sets it forth in language which he who runs may read, so that the people of the United States may know that our policy is to retain in the United States sovereignty in the air over the United States, its waters, and its Territorial possessions.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. VANDENBERG. Then, I understand the Senator is striving for the philosophy of sovereignty of the air as opposed either to the philosophy of free-

dom of the air or the right of innocent transit?

Mr. McCARRAN. The Senator states it correctly.

Mr. VANDENBERG. I should like to say to the Senator from Nevada that I join him in his position.

Mr. McCARRAN. I am glad to have the Senator's cooperation. I hope the Senator may have time to read the bill, and to read the statement which I hope by unanimous consent may be printed in the RECORD. A reading of the statement would take longer than the amount of time I desire to use in detaining the Senate at this time.

Mr. President, I wish to say one further word. We have been—and I say this without any tinge of criticism of anyone—more or less a laughing stock to foreign countries because we have no defined foreign policy as regards commercial aviation. It is high time that a policy be established. It is high time that we look to the advantages which our country should have in the great industry of air commerce, if we ever hope to have paid to us the debt which is being created by reason of our taking care of, feeding, clothing, and furnishing munitions to those nations which are fighting on the same side with us in this great war. In my judgment, Mr. President, we must not forget the fact that we should send the products of this country into the markets of the world by the swiftest possible agency.

So with that in mind, and in order that something may be before the people and before the Congress which looks to that accomplishment, we have by this bill set up an instrumentality in which every American air carrier doing business at the present time may participate, whether he be an air carrier to foreign countries or a domestic carrier. We propose to set up what we have chosen to term "the all-American-flag air line" in which every carrier now doing business, either domestically or in foreign commerce, may participate, but which will have the sole sanction of the Federal Government and will receive the sole support financially of the Federal Government, and will receive the sole and only sustenance and support from the agencies of the Government. In other words, by the proposed law, we would set up an instrumentality to carry the commerce of this country into the markets of the world with the sanction and approval and backing of the Federal Government.

By the bill we will create no monopoly. We leave the road wide open for those who would venture their own fortunes in foreign commerce by air, but we put behind the proposed instrumentality the power and force of the Government of the United States. In our judgment, speaking after 10 years of study of the subject, the way proposed by the bill is the only way by which the United States of America can hope to enter into competition with the flag lines of other countries. We are not alone in that thought, and experience has given us a wide field to consider. Great Britain had at one time a number of lines, and she found that it was impossible to have certain of



her own lines competing with others of her own lines and at the same time competing with the lines of other governments. So she centered on one line to carry the British flag and to receive the British national support. France before the war had several lines. She also abandoned that policy and centered on one line. Italy also went through that experience. Japan also went through that experience. Germany also went through it. Other nations went through it. We have their experience before us, and it is time that we act, and act affirmatively and positively, so that the world may know and so that the people of the United States may know that we are interested in the commerce of America by that swift and sure agency which in my judgment is destined to go through as many changes and as many progressive steps within the next 10 years as it has in the past 10 years.

Mr. VANDENBERG. Mr. President, if the Senator will yield to me, let me inquire whether it is not true, in line with the Senator's observations, that if in the post-war aviation world we confront chosen governmental instrumentalities by way of competition on behalf of every other great air power, and if we confront them with a divided, competitive, external air power of our own, we shall have simply invited them to apply to us the adage, "Divide and conquer."

Mr. McCARRAN. The Senator expresses the situation splendidly, and expresses my thought on the subject exactly.

Mr. President, we must take an affirmative stand for ourselves in the commercial world of the future. This great instrumentality of commerce has been developed by American industry, by American ingenuity, and by American determination; and we should not fail to persist now in our thought that America should be to the air what other countries have been to the waters of the world in times past.

Mr. President, the one way, if not the only way, by which we can bring encouragement to the people of this country is for Congress to say, "We have a foreign policy, and we are going forward with that policy so that the commerce of this country may reach the markets of the world by the fastest possible means."

In view of the pending business, Mr. President, I do not wish to take up further of the time of the Senate. I have prepared a detailed statement by way of explanation of every provision of the bill. The statement is a little lengthy, but it is very much worth while that those who read the bill may have a view of what the author of the bill is thinking of in the use of the terms found in the bill. The statement is as brief as it could be, in view of the magnitude of the subject and the manner in which we sought to deal with it. I now ask unanimous consent to have this statement, which is explanatory of the bill, printed in the RECORD at this point, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### NEW CIVIL AERONAUTICS BILL

(Statement by Senator PAT McCARRAN)

##### GENERAL STATEMENT

I have today introduced a bill which, if enacted at this session, will become the Civil Aeronautics Act of 1944.

This bill has not been written by the Air Transport Industry, the Civil Aeronautics Board, or any other person or group; it was written by me.

No person other than those working for me in my office have ever so much as seen this bill, despite published reports to the contrary.

This bill rests upon the cumulative experience of the aviation industry and the Government, and represents a sincere effort to embody the best of that experience in legislative language.

While short of perfection, as all legislation must be, this bill offers, in my opinion, a sound framework for progressive legislation.

In writing this bill I have attempted to collect and correlate the experience since 1938 of the Federal Government, the air-transport industry, commercial pilots, the aviation manufacturing industry, private flyers, and others who participate in or are affected by aviation in all its phases.

Each State was asked for a copy of its laws and regulations on aviation, and these laws were analyzed carefully to determine what the States have done in aviation. This material was supplemented by an exhaustive study of State experience in the aviation field and by conferences with State aviation officials.

Having conferred at length with leaders in all phases of aeronautics, I wish to express my deep appreciation of the splendid assistance they have rendered in advising me of the legislative needs which their experience has indicated.

On the basis of these studies, which began in 1934, and have been intensified since last August, I determined that the best plan was to work toward a complete rewriting or codification of all Federal legislation for civil aviation so as to incorporate the experience referred to above, and so as to write into basic law the correct interpretations of the Civil Aeronautics Act of 1938 by the Civil Aeronautics Authority and the Civil Aeronautics Board. I have not failed to study the decisions of the courts which have involved or affected aeronautics.

This bill deals with ideas, and certain perfections of language may be necessary to express these ideas clearly. All suggestions for clarification of language, as well as all suggestions of new ideas and new language, will be sincerely welcomed and appreciated.

I want this bill to represent the very best in aviation experience and the best thought, and planning for the benefit of this country, its entire aeronautical industry, and all its citizens who will engage in or derive their livelihood from post-war aviation.

Realizing quite well that achievement of this end will require the assistance and constructive criticism of many leaders in the aviation field who have not yet presented their suggestions to me, I bespeak for the bill the most earnest study and consideration, and for its aims and purposes the unselfish and unstinting support and cooperation of all who share with me complete confidence in the limitless future of aviation; unshakable faith in the ability of American ingenuity, courage, and enterprise to achieve for this country, if given an even break with foreign competition, unquestioned leadership in post-war world aeronautics; and an abiding conviction that proper fulfillment of the destiny of the United States of America requires that it shall achieve and maintain such leadership.

##### EXPLANATION OF THIS STATEMENT

This statement is separated into two parts: (1) A discussion of the major points of this bill and (2) an analysis of the bill, title by title.

##### Major points

##### 1. International aviation

The bill creates a federally chartered private corporation with potential working capital in excess of \$1,000,000,000, to be known as the all American flag line. This corporation will be composed of air carriers now holding certificates under the Civil Aeronautics Act of 1938, except air carriers whose operations are wholly within the Territory of Alaska.

Creation of this corporation will effect a pooling of all the resources, both domestic and foreign, of the air transport industry, to forge a new agency which will make the commerce of the United States first in the air all over the world. This new agency will have back of it not only the full strength of this unity of all factions of the air transport industry of the United States concerned with foreign air transportation, but also all available facilities of the Government of the United States, to enable it to carry out the purpose for which it is being created.

This corporation will, therefore, have active partners operating throughout the United States who will funnel international business into designated points of entry or departure. Likewise, these interstate air carrier partners will pick up and disperse throughout the United States the international air traffic which is brought to our shores by the all American flag line, or by any foreign air carriers. I believe this offers an unbeatable combination.

The bill prohibits the all American flag line, or any foreign air carrier, from engaging in interstate air transportation.

Specific provisions of the bill prevent any one air carrier from owning a controlling interest in the all American flag line.

While the idea of such a corporation as this bill proposes may seem both novel and daring, I am convinced it presents the most sound solution to our national problem of insuring the United States its proper place in world aviation.

The pace of the world is geared to transportation, and aviation is the instrumentality which will set the pace in the foreign trade and passenger field after the war. We cannot afford to come out second best in the race for air commerce in the markets of the world. That is why this bill proposes to put the entire facilities of the air transport industry and the full weight of the Government of the United States back of the all American flag line. It must and it shall be the leading air carrier in foreign air transportation throughout the world.

##### 2. States' rights

Under this bill, States' rights are given the fullest protection consistent with necessary Federal control over interstate traffic and safety in air navigation. Instead of being excluded from all control over aeronautics, the States are given control of intrastate air carriers and intrastate air contractors. With respect to these two types of operations, States can exercise all the traditional powers which they have exercised in the public-utility field. The bill covers this idea specifically both by definition and by declaration of policy, so that the intent of Congress not to interfere with States' rights will be clear.

Before formulating the provisions of this act which assure States of the retention of their legal powers in the aviation field, I made an exhaustive study of all State legislation in this field and the experience thereunder, so that I could understand the problems and viewpoints of State aviation officials.

In the airport and airport zoning fields, the bill provides specifically for a system of co-operation and mutual aid between States and cities on all phases of aviation in which they have mutual interest, so as to bring about a real spirit of mutual helpfulness rather than conflict between these different levels of government, all of which certainly do have a part to play in the development of aviation.

### 3. Experimental certificates

To open up the whole development of air transportation to new enterprise and keep it open for our returning soldiers, and to assure the greatest possible development of feeder lines for existing trunk-line operators, the bill creates a new type of certificate of public convenience and necessity, known as an experimental certificate.

This new type of certificate will be issued without the requirement of any proof other than of ability, including financial responsibility, to operate the new line and to comply with necessary safety regulations. The bill provides that experimental certificates may be issued on any route which is not already covered by a certificate held by an air carrier.

Language of this section preserves to the holder of an experimental certificate the advantages which may flow from any air traffic which he develops by operations under such certificate at his own financial risk.

### 4. Private flyers

The bill gives private flyers a new recognition and a "bill of rights" which they have never had under previous Federal legislation.

Private flyers are given specific assurance against interference by the Federal regulatory body which is created under this act through a new section which prohibits the application to them of any provisions of the act other than those relating to safety. For the first time private flyers are by this bill specifically given the right to perform mechanical work on their own planes without securing a separate certificate from the Civil Aeronautics Authority authorizing them to perform this type of work.

### 5. Civil Aeronautics Authority re-created—Administrator abolished

A Civil Aeronautics Authority composed of seven members is created as an independent agency of the Government, and the office of the Administrator of Civil Aeronautics is abolished, as is the Civil Aeronautics Board.

Having an Administrator of Civil Aeronautics to perform certain functions, with other functions assigned to the Civil Aeronautics Board, and with no clear distinction and definition of the functions which each should exercise, has resulted in endless confusion, duplication of effort, and delay in carrying out proper programs for the benefit of aviation. It is this situation which the bill attempts to cure by setting up an executive officer within the Authority, who, subject to the orders of the Authority, will carry out the executive functions formerly exercised by the Administrator.

Creation of the C. A. A. as an independent agency also eliminates the top-heavy situation under which normal functions of the Administrator of Civil Aeronautics cannot be performed without clearance with the Assistant Secretary of Commerce for Air, as well as with the Secretary of Commerce on important matters.

The idea of splitting the separate functions of a quasi-legislative, quasi-judicial, and executive agency, as originally written into the Civil Aeronautics Act of 1938, looked very good as a theory, but it simply has not worked out in practice. That the President felt it necessary to completely reorganize the C. A. A. and bring it under the jurisdiction of the Department of Commerce is merely one of the indications of this fact.

In abolishing the Civil Aeronautics Board and the Office of Administrator of Civil Aero-

navics, the bill takes all civil aviation functions out of the Department of Commerce and vests the Federal Government's civil-aviation activities and regulation in one new agency—a seven-man Civil Aeronautics Authority. This implies no criticism of the splendid work of the Secretary of Commerce and his most able Assistant for Air. They have done much for aviation. But it must be apparent that the endless confusion and bickering which indicated to the President the necessity of reorganizing the original Civil Aeronautics Authority and Air Safety Board by Executive order is a strong argument for a single repository of power to head up all governmental activity in this field. The Secretary of Commerce is a very conscientious man, and since the President directed him to supervise certain civil-aviation functions he of necessity must exercise a substantial amount of supervision and control over the Administrator of Civil Aeronautics. Since there is no clear line of demarcation between the functions of the Civil Aeronautics Board, the Administrator, and the Secretary, a series of conferences between busy high officials is absolutely necessary on all the many important questions and programs which require consideration in such a rapidly developing field as aviation. If the Board, Administrator, and Secretary do not confer, they are not doing their duty; if they do confer, much time of busy high officials is consumed in resolving conflicting ideas or opinions. If no unanimous agreement is reached, a meritorious program may be dropped.

As pointed out above, the idea of separating the quasi-judicial and quasi-legislative functions in the aviation field from the executive functions in this field looked good on paper but has not worked out in practice. The three functions require one boss to assure efficiency in planning, regulation, and execution of aviation programs. Such a boss this bill creates in the Authority; and it gives to this Authority a \$10,000-per-year executive officer to carry out the policies which the Authority determines. The bill also contains a section giving the Authority broad discretion in delegating jurisdiction to subordinates. I hope this discretion will be exercised to the utmost degree so that the Authority will not—as it now does—bog itself down with detail of minute importance, but will leave itself free to decide broad objectives and pass upon important cases. This bill makes possible a real streamlining of functions in a field where the most rapid changes are taking place. I feel it is pointed in the right direction.

I sincerely believe that the new authority, as created herein, will make possible: (1) Maximum efficiency in carrying out all aviation programs; (2) the creation of a real sense of public responsibility in members of the new authority as no "buck passing" is possible—they cannot escape responsibility for action or inaction; (3) elimination of duplication of functions, effort, and personnel; (4) clarification of ambiguities and uncertainties to the end that the great amount of war work of the authority can go forward with maximum speed.

### 6. Independent air safety board

An independent air safety board is created with the sole function of investigating accidents in which aircraft are involved, and making recommendation looking toward prevention of such accidents in the future. This board is to be composed of persons with actual experience in the operation of aircraft so that they will understand fully from their own experience the functions which they are to perform. The board is made absolutely independent, since it may on occasion be required to fix on the Civil Aeronautics Authority or on another governmental agency the blame for accidents involving aircraft.

### 7. Administrative burdens removed

This bill removes some of the unnecessary administrative burdens under which the aviation industry must now operate. For example, it allows mechanics employed by airplane manufacturers—men who build airplanes—to make necessary repairs to such airplanes without obtaining certificates as airmen. The bill also removes the requirement for unnecessary administrative hearings by the C. A. A., by directing hearings only when there is a request for a hearing from a party in interest.

### 8. National airport survey

The bill provides for a national airport survey, and for keeping this survey up to date in order that the foundations may be laid for necessary legislation in this field. With the rapid expansion of aviation which everyone anticipates in the post-war period, we will need more and better airports throughout the Nation, and it is certainly one of the responsibilities of the Federal Government to help provide these airports so that the public may enjoy to the fullest the advantages of air transportation, and so that we will have the airports we need from the viewpoint of national defense.

### 9. Airport zoning

Most accidents involving aircraft occur at or near airports and obstructions to aerial approaches are in many instances responsible for such accidents either directly or indirectly. An airport can be rendered worthless by a high building, tree, or other structure in one of its approaches, so that the millions of dollars invested therein will be lost. In the interest of safety and to protect the millions of dollars which city, State, and Federal Governments are investing in airports, a program of airport zoning is essential.

This bill provides for cooperation between Federal, State, and city governments in formulating and carrying out a Nation-wide program for the clearing and protection of aerial approaches to airports. Zoning is a peculiarly local function and the Federal Government should not seek to usurp such a local function. This bill provides for the use of Federal planning experience and funds, with the actual zoning to be carried out under State and local police powers, to meet local problems. I have no doubt but that such a cooperative program will accomplish the most in this field.

Recent legislative recommendations by the Federal Government for consideration by State legislatures include a model airport zoning act which was drafted by the joint efforts of representatives of the Federal Government, State governments, and municipal governments, and States have shown themselves receptive to this model act, under which States and cities may work with the Federal Government in carrying out an airport zoning program.

### Notable by absence

Mention should be made of matters not covered by this bill which have been in the past included in other legislation or proposed legislation in this field.

No provision is included in this bill for a study of the possibilities of post-war aviation. In my opinion this is not a subject for permanent legislation, but should be covered by a separate bill or joint resolution.

This bill makes no provision for a study of the carriage of all first-class mail by aircraft—like the study of post-war aviation possibilities, this is not a matter for permanent legislation.

The Civilian Pilot Training Act and the question of amendment or continuance of that act is left for separate consideration, since legislation on this subject already is pending before the Congress.

This bill does not touch upon the subject of tax exemption of air carriers. My study of the laws and practical experience of the



States, in the field of aviation taxation, has convinced me such taxation places no real burden on commerce. Air lines are no more entitled to a tax haven than any other citizen. I realize that air carriers have particular problems that are arising in the tax field, but I believe that experience will gradually indicate the proper solution to such problems.

#### DETAILED EXPLANATION

The following is an explanation, title by title and section by section, of the provisions of this act.

#### Title I

This title contains definitions and a declaration of policy by the Congress.

Section 1 of this title embraces definitions.

At the outset it must be stressed, and it cannot be emphasized too strongly, that definitions are not legislation. In framing this section every effort has been made to preserve definitions already in use which have stood the test of time, and where new definitions have been phrased no effort has been spared to make them clear, unequivocal, and readily comprehensible. No tricks, hidden meanings, or cover-ups are to be found in these definitions, and no hidden meanings should be read into them.

There is no legislation in this section, and the definitions are not to be considered except in connection with the use of the terms defined in the context of the bill. A reading of the definitions alone will not result in any comprehension of the provisions of the bill, and it is entirely improper to attempt to draw any conclusions from the language of the definitions alone. They must be read in connection with the whole of the bill in order to be understood.

Properly used, in legislation, a definition is a tool whose purpose is to avoid unnecessary repetition. The definitions employed in this section have been phrased, and are used in the bill, in the light of that principle.

Concerning individual definitions in section 1, therefore, little need be said; but it appears desirable to identify the source of some of these definitions, and in some cases to explain the reasons for the language used.

#### Air commerce

In the definition of "air commerce," the reference to "overseas air commerce" which was included in the Civil Aeronautics Act of 1938 has been deleted. This was done because it was desired that the act should make no distinction between overseas and interstate air commerce.

In the 1938 act, the Civil Aeronautics Authority was given the power to fix rates for transportation of persons and property in interstate air commerce, but was given no authority to fix such rates in foreign air commerce. Overseas air commerce, which embraced only air commerce between the mainland and Hawaii, and by the ocean route between the continental United States and Alaska, was a sort of twilight zone to which some provisions applicable to interstate commerce did not apply. The present act gives the Authority power to control the rates of all air carriers, and the need for any distinction between overseas and interstate air commerce has thereby been eliminated.

#### Air contractor

Because of the expansion of civil aviation, it is necessary that some control be exercised over commercial operations in air commerce other than the operations of air carriers. To facilitate provision for such control, the bill contains a definition of "air contractor."

This definition is set up so as to avoid inclusion of persons engaged in air navigation as noncommercial private flyers, or engaged in wholly intrastate operations not a part of interstate commerce.

#### Airman

The definition of "airman" is carefully worded so as to except from the control of

the Authority individuals employed outside the United States, mechanics employed by manufacturers of aircraft, aircraft engines, propellers and appliances, and private flyers performing mechanic work on their own planes. These are complete exceptions and relieve such persons of unnecessary and burdensome regulation without the slightest relaxing of safety requirements.

#### Air navigation

"Air navigation," a new definition not found in previous legislation, has been inserted as an aid in delimiting the application of the safety regulations authorized in title VII of the bill.

#### Air transportation

The definition of "air transportation" splits the whole aviation field into just two parts: Foreign air transportation and interstate transportation.

#### Appliances

"Appliances" is redefined by slight changes in the definition previously used, in the interest of conciseness.

#### Citizen of the United States

The definition of "citizen of the United States" has not been changed because a study of the regulations and decisions of the Civil Aeronautics Authority and the Civil Aeronautics Board under this definition reveals that they have properly carried out the intent of Congress as embodied in the 1938 act.

#### Conditional sale, conveyance

The definitions of "conditional sale" and "conveyance" are taken from the Uniform Conditional Sales Act.

Foreign air carrier, foreign air commerce, foreign air transportation

"Foreign air commerce" is a new definition used in connection with the new regulations of air contract carriers. The definition limits the term to foreign business as distinguished from interstate commerce. The 1938 act defined separately "interstate air commerce," "overseas air commerce," and "foreign air commerce." In this bill a clear line of demarcation is drawn between foreign and interstate commerce, and overseas air commerce is eliminated, both as a definition and as a separate sphere of operations.

In considering the definitions of "foreign air carrier," on the one hand, and "foreign air commerce" and "foreign air transportation," on the other, it should be noted that the former definition is concerned with the origin of citizenship of the carrier, whereas the latter two definitions rest upon the sphere of service performed.

#### Interstate air commerce

The definition of "interstate air commerce" should be read carefully prior to a reading of regulatory sections of the bill, and it should be borne in mind that this definition does not include operations in air navigation wholly within any State and not a part of interstate commerce. This definition, and the use in the bill of the phrase defined, constitute one of the means used to preserve to the sovereign States their right to exercise their traditional jurisdiction over the persons and property within their borders. The definition has been so phrased that applicable court decisions will control any disputed jurisdictional questions. States' rights are thus preserved without the necessity of attempting a new and untried definition of what constitutes interstate commerce.

#### Interstate air transportation

The same considerations just mentioned apply with equal force to the definition of "interstate air transportation."

#### Private flyer

Because it was desired to make this act explicit as to the rights of private flyers, it

was necessary to have a definition of "private flyer." The definition used covers those persons who fly for pleasure and not for profit. This is the first time the term "private flyer" has been defined and the use of this term as defined gives the private flyer, for the first time, a real bill of rights.

#### Possessions of the United States

The definition "possessions of the United States" is a technical one, necessary because of provisions of other acts, interference with which had to be avoided. This definition is identical with the definition of the same term in the 1938 act.

#### Underwriter

The term "underwriter" is defined so as to lay the foundation for regulation by the Authority of persons in the financial field who may exercise control over air carriers, but who have up to this time exercised such control outside the sphere of any regulations which the Authority could prescribe under the 1938 act. A careful reading of the definition will show clearly that it bears no relationship to the insurance field.

I am still studying the problem of whether the Authority should have the power to pass upon the issuance of all securities by air carriers and air contractors, in order that overcapitalization, such as has occurred in the railroad field, might be prevented. When my study of this subject has been completed, I may propose an amendment to the bill covering this subject.

#### DECLARATION OF POLICY

Section 2 of title I is a declaration of policy, painstakingly rewritten so as to embody most clearly the intent and purpose of the legislation. This section of the bill fixes and lays down the policy of the Congress, which the Authority must take into consideration in connection with exercising any of its functions and performing all of its duties. Specific policies are expressed as well as certain general aims desired to be accomplished by this legislation.

In considering the policy laid down with regard to competition, it should be understood that in foreign air transportation, the competition will be between the United States on the one hand, and foreign nations and foreign air carriers on the other; and it will be the duty of the Civil Aeronautics Authority to administer the act so as to strengthen the arm of American aviation and enable it more effectively to meet such foreign competition. In the sphere of interstate air transportation, the competition referred to will be between the several aviation interests engaged in such transportation; and a condition of healthy competition is desirable to the end that internal development of aviation in the United States shall be fostered and speeded.

Subsection (g) of this section expresses one of the major objectives of the bill. It is this objective which underlies creation of the All American Flag Line, Inc., in title V.

Section 3: This section, besides containing the declaration of the public right of transit, contains a new subsection specifically guaranteeing to private flyers the right to operate in air navigation subject only to necessary safety regulations.

Section 4: The declaration of national sovereignty has been amended by insertion of the words "with respect to foreign aircraft," so as to make clear the intent which originally sought expression in the similar declaration included in the Air Commerce Act of 1926. There is no possibility that this declaration can be construed as an attempt to arrogate to the Federal Government any powers properly reserved to the States.

#### Title II

This title covers creation of the Civil Aeronautics Authority and assignments of its powers and duties.

#### Qualifications of members

201 (b) covers the qualifications of members of the authority: Citizenship, fitness, a provision that not more than four of the members shall be appointed from the same political party, and a provision against ownership by any member of the authority of any financial interest in any civil air enterprise.

#### Term and salaries of members

Members of the authority are given 7-year terms but initial appointments are to be made for shorter periods so as to provide for staggered terms.

#### Executive officer

Subsection 202 (a) creates the job of executive officer of the authority at a salary of \$10,000 per year. The executive officer is given power to exercise all of the functions now performed by the Administrator of Civil Aeronautics Authority, but only upon assignment of such functions to him by the authority, and subject at all times to control of the authority.

#### Condemnation of airports

Subsections 207 (a) and 207 (c) specifically provide that the authority may not condemn airports or air space.

#### Exclusive rights of airports

Subsection 209 (b) contains clear language prohibiting the granting of any exclusive right for the use of any civil airway or for the use of any airport or other air-navigation facility upon which Federal funds have been spent. Airport aerial approach protection program

Section 212 covers the formulation of a program for protection of the aerial approaches to airports, and cooperation of States and cities, through the use of their police powers, in carrying out this program. The discussion under "major points" amply explains this section.

#### Airport-development plan

This section of the bill sets up the basic frame work from which the airport legislation of the future can be formulated by providing for the preparation and yearly revision of a national-airport plan. The explanation of this subject under "major points" covers this section.

#### Title III

This title covers granting of certificates of convenience and necessity to air carriers. Every attempt has been made to include all of the best of previous legislation, including the 1938 act, and of proposed legislation in this field. Here, as throughout the bill, wherever provisions of previous legislation have stood the test of time and have been properly interpreted, such provisions have been left undisturbed except where changes were necessary to effectuate new purposes; and where provisions of proposed legislation have fully met the intent and purpose of this bill, there has been no hesitancy in adopting them. Some provisions have been carried forward with the minor changes in language which were necessary to clarify certain doubts as to congressional intent which have been raised.

#### Section 301 (c)

This is the section which provides for hearings only if requested by a party having an interest in an application, thus avoiding unnecessary hearings on purely formal applications and proceedings, such as are required in many instances under the present law. This policy of eliminating unnecessary formality and proceedings has been followed throughout the act.

#### Section 301 (b) 2

This section is so phrased as to take care of citizenship questions which may suddenly arise, as in the case of the death of a large shareholder in an air carrier whose heirs or legatees are noncitizens.

#### Section 301 (e)

This is the subsection providing for a grant of experimental certificates as outlined in the discussion of major points.

#### Section 301 (f)

This subsection provides that the Authority need not specify exact terminal or intermediate points if it is impracticable to do so in the certificate granted any air carriers. This subsection also contains a provision making it clear that an air carrier does not become an air contractor merely by reason of making charter trips. Another provision of this subsection covers the point that an air carrier not directly engaged in air transportation shall not be authorized by implication to operate planes. An example of such a carrier is the Railroad Express Agency.

#### Section 301 (h) 3

This subparagraph has been included to make certain that the Authority has power to require reasonable extensions of service by air carriers. It has been a point of contention in the past whether the Authority had this power. The subparagraph restricts extensions of service to the continental United States, since under the bill all necessary extensions in foreign air transportation will be provided by All American Flag Line, Inc.

#### "Grandfather" clauses

It will be noted that provisions of existing law embodying the so-called "grandfather" clauses have been eliminated from this bill. Such provisions are no longer effective.

#### Section 301 (h) 3

This is the subparagraph authorizing a requirement for any necessary extension of service by All American Flag Line, Inc., and containing provisions for enforcing any such requirement under equitable conditions.

#### Section 302

Subsection (a) of this section prohibits foreign air carriers from engaging in interstate air transportation and interstate air commerce, thus plugging a "hole" in the 1938 act.

The familiar "grandfather" clauses are not included since more than 5 years have elapsed since enactment of the C. A. A. Act of 1938 and there are now no unasserted rights under such clauses.

#### Section 302 (d)

Like the comparable section concerning air carrier regulation, this section makes hearings mandatory only upon the filing of a written request by a party to the proceeding. Hearings upon applications for certificates covering foreign air carriers are required under the 1938 act, but the proceedings are purely formal, since all the details have of necessity been worked out in advance by State Department, the President, and the foreign government concerned, under the requirement for Presidential approval of certificates to foreign air carriers.

#### Section 303 (a)

This subsection relieves air carriers and foreign air carriers from being required to print unnecessary tariff information. The relief is to be granted in the discretion of the Authority and under regulations of the Authority.

#### Section 303 (b)

This section tightens the provisions of the 1938 act with respect to the persons to whom passes may be issued for air traffic.

#### Section 304 (a)

This subsection requires all air carriers in interstate and foreign air transportation to furnish just and reasonable fares and to furnish joint through rates.

#### Section 304 (c)

This subsection expressly authorizes the sale of air-carrier tickets on credit. The so-

called Universal air travel plan is not specifically written into this bill, as some of the advocates of the plan have proposed. It seems clear that the plan is a reasonable, nondiscriminatory rate based on a real classification, and section 304 (a) is therefore adequate to cover approval of this plan by the authority.

#### Transportation of mail

Provisions of this title beginning with section 305, which relate to the transportation of mail, are not changed substantially from the form in which they appear in the existing law. These provisions are working well, and have been the subject of a great deal of sound interpretation which would be upset, with considerable resultant uncertainty, if substantial changes of language should be made.

#### Section 306

The formula set forth in the 1938 act concerning rates for transportation of mail has worked well and appears here substantially unchanged. It should be noted that the Civil Aeronautics Board has consistently reduced mail pay as the income of air carriers has gone up so that on the whole, mail subsidy as such no longer exists in the interstate commerce field.

#### Section 307

This section, concerned with acts, records, and reports, is the same as the similar section of the 1938 act.

#### Section 308

This section contains substantially the same language as section 408 of the 1938 act. The Civil Aeronautics Board has properly interpreted this language as an exclusion of surface carriers from the air-transportation field. The air-carrier industry is still in its infancy as compared to surface carriers, and the public interest would best be served by preventing surface carriers from gaining such control that they could stifle air transportation to prevent it from injuring their investment in surface-carrier equipment or property. The Congress expressed this protective policy in the 1938 act, and no good reason has yet been advanced for a change in this policy.

#### Section 309

This section clarifies and tightens within the intent of existing law, provisions governing interlocking relationships between air carriers, and between air carriers and common carriers. Authority approval of interlocking relationships between air carriers and underwriters is also provided for by this section.

#### Section 312

This section allows air carriers to escape the burden of unnecessary filing of agreements. The authority will specify the agreements which must be filed so that the public interest will be amply protected.

#### Section 312 (c)

This subsection puts real teeth in the provision of subsection 312 (a) by making it unlawful to carry out any contract or agreement which has been disapproved by the authority.

#### Section 313

This section embodies the exact language of the present law. Proposed language purported to clarify this provision was rejected in view of the fact that the United States Supreme Court in the Rochester telephone case has held that the language used covers all types of control which it is intended to reach. Having been judicially interpreted in accordance with the intent of the Congress, the language should not be traded for new language which might, in its turn, require interpretation.

#### Section 316 (a)

This subsection carries over to the present bill language found in section 416 of the



1938 act. The power to classify carriers, covered by this language, has been used in the past for the protection of smaller carriers and for the relief of such carriers from undue burdens. It is desirable that these provisions remain the law so that they may continue to be so used.

#### Section 316 (b)

Subparagraph 2 of this subsection carries over into this bill the provision (of particular interest to carriers operating in Alaska) authorizing an exemption of daylight carriers from some of the wage provisions.

#### Title IV

This is the title providing for economic regulation of air contractors.

Provisions of this title follow in general the comparable provisions of the title covering the economic regulation of air carriers, but procedure has been streamlined in order to eliminate, so far as possible, all oppressive or unnecessary formalities or regulation which might hamper proper development of air commerce.

To provide for proper development of the carrying of persons and property by contract carriers, and to prevent cutthroat competition, it is necessary to provide for reasonable regulation by the C. A. A. Such regulation will protect those air contractors who build up air contract business from unscrupulous persons who might come in and take it away by cutting charges below cost.

With full knowledge of the necessity of avoiding unnecessary Federal regulation, I considered, including a provision classifying air contractors into groups according to their gross earnings (as the I. C. C. has done for railroads), but abandoned that idea for one vesting broad discretion in C. A. A. to make such classification. If the C. A. A. does not act to prevent unnecessary red tape, I will introduce a resolution to carry out my first idea. Air contractors must not be hampered in their business by unnecessary bureaucratic action or overregulation.

#### Subsection 401 (c)

This subsection embodies the principle previously referred to of requiring hearings only upon proper request by a party in interest. In the event a hearing is requested upon any application, the Authority is by this subsection directed to dispose of its proceedings in the matter as speedily as possible.

#### Subsection 401 (d)

It should be noted that this subsection does not require a showing of public convenience and necessity by an air contractor in order to be eligible for a certificate, but requires instead only a showing that the proposed service is not contrary to the public interest. I believe the requirement as written is an eminently proper one, whereas to require an affirmative showing of public necessity for each proposed new operation by an air contractor would be certain to inhibit to a substantial degree the proper and desirable development of air commerce.

#### Section 402

Consistent with the philosophy already expressed that air contractors should be protected against unfair competition through rate cutting, but should not be hampered by unnecessary regulation, this section provides for approval by the authority of minimum rates and fares and for maintenance of such minimums, but does not prohibit any air contractor from charging more than the approved minimums.

#### Section 403

This section does not lay any duty upon an air contractor, with respect to tariffs, otherwise than to establish, observe, and enforce reasonable minimum rates and fares and reasonable classifications, rules, regulations, and practices.

#### Section 404

This is the section which directs the Authority to set up reasonable classifications of air contractors, to relieve them of undue or burdensome regulations.

#### Title V

This is the title which creates the Corporation to be known as "All American Flag Line, Inc."

#### Section 501 (b)

This subsection defines the general purposes of the Corporation.

#### Section 501 (c)

This subsection provides for establishment by the Corporation of branch offices or agencies.

#### Section 501 (d)

This section sets forth the powers of the Corporation. Included are all of the usual corporate powers necessary to carry out the purposes of this Corporation. Also included, is the power to acquire or control subsidiaries in the furtherance of its corporate purposes without regard to the provisions of the anti-trust laws.

#### Section 501 (e)

This subsection puts back of the Corporation all of the aid, other than direct financial assistance, available from any department or agency of the United States Government.

#### Section 502

This section covers issuance of stock by the Corporation.

Capital stock is divided into two classes: Class A stock, which will be issued in the amount of \$200,000,000 and which will be the voting stock of the Corporation; and class B stock, which will be issued only in exchange for assets owned by class A stockholders, used in foreign air transportation, and useful to the Corporation.

Class A stock will pay dividends at the rate of between 6 and 8 percent, depending on earnings.

Class B stock will pay reasonable dividends based upon the earnings of the corporation.

#### Section 502 (e)

This subsection limits the holder of class A stock to licensed air carriers, not including air carriers operating wholly in Alaska.

#### Section 502 (f)

This subsection sets up a minimum of \$5,000,000 and a maximum of \$50,000,000 on the amount of class A stock which any eligible air carrier may purchase.

#### Section 502 (g)

This subsection provides for reallocation of any stock for which an eligible air carrier fails to apply. It also provides that no stockholder shall at any time hold more than \$50,000,000 worth of class A stock.

#### Section 502 (h)

This subsection provides for cash payment of subscriptions to class A stock and prohibits class A stock from being traded on any stock exchange or curb market. It also prohibits sale or transfer of class A stock without approval of the Civil Aeronautics Authority.

#### Section 502 (i)

This is the subsection limiting issuance of class B stock to the purchase of assets of class A stockholders.

#### Section 503 (a)

This subsection requires that a subscriber to class A stock must agree to sell to the Corporation upon demand any of its assets used in foreign air transportation, at fair market value, in exchange for class B stock.

#### Section 503 (b)

This subsection provides for appraisal of the fair market value of properties to be sold

under the provisions of the previous subsection.

#### Section 504

This section provides the board of directors of the corporation shall consist of 1 member designated by each class A stockholder plus 10 additional members to be elected annually by all class A stockholders.

#### Section 505

This section governs issuance of notes, debentures, bonds, or other obligations by the Corporation, and fixes the limit on such obligations at three times the amount of issued capital stock. It provides that any issue of securities by the Corporation shall require approval of the Civil Aeronautics Authority. It requires that all obligations of the Corporation shall be secured by assets of the Corporation. It authorizes the Secretary of the Treasury to purchase securities issued by the Corporation.

#### Section 506 (a)

This section provides for organization of the Corporation.

#### Section 507

This section directs the Authority to issue the Corporation a certificate as an air carrier in foreign air transportation. (It will be recalled that subsection 401 (d) (2) prohibits the Corporation from operating in interstate air transportation.)

#### Section 508

This section provides for extension of service by the Corporation where required in the Nation's interest. The Authority is empowered to require any such extension upon certification by the Secretary of State that such action is necessary either for the maintenance of cooperative relationships between the United States and any foreign country or in the furtherance of national policy or for the performance of a treaty obligation. Where an extension of service is so required, this section makes provision for direct payments to the Corporation within the limitations of appropriations made by the Congress for such payments so as to guarantee to the Corporation reasonable compensation for the service it is required to perform.

#### Title VI

This title governs the nationality and ownership of aircraft and is identical with the similar title of the present law, except that a new section has been added. It continues the provisions of existing law which have been working well and which have been interpreted and apply in accordance with the intent of Congress.

#### Section 602

This is the new section, the purpose of which is to open the door to reciprocal agreements with foreign nations on the subjects covered by this title.

#### Title VII

This title covers the general safety powers and duties of the authority.

This title has been completely rewritten to incorporate the views of the Civil Aeronautics Board as to desired provisions to make administration of the title easier.

#### Section 701 (a)

This subsection lists the classifications, rules, regulations, and standards which the authority is to prescribe. Specific provisions is made that such rules, regulations, and standards shall be reasonable and shall be directly concerned with or necessary in the interests of safety.

#### Section 701 (b)

This subsection directs the authority to make proper distinctions between commercial and noncommercial operations and among the various types of such operations.

## Sections 702 and 703

These sections cover the issuance of airman certificates and aircraft certificates.

## Section 703 (b)

The language of this subsection has been very carefully drafted so as not to constitute any impediment to progress of invention and improvement in the aviation field. The subsection specifically provides that the authority shall not refuse to grant an experimental certificate solely because it would cover a new or previously unused or unapproved principle or invention.

## Section 704

This section covers air carrier or air contractor operating certificates.

## Section 705

This section follows substantially the language of the existing law in making provision for the rating of air-navigation facilities.

## Section 706

This section follows substantially the language of existing law governing the rating of air agencies.

## Section 709

This section is carried over from the Air Commerce Act of 1926 as part of the codification of air law which this bill represents.

## Section 710 (b)

This is a new subsection to provide relief in special cases where enforcement of some order, rule, regulation, or standard set up by the authority is by reason of unusual circumstances an undue burden and where such enforcement is not required by the public interest.

## Title VIII

This title creates an air safety board.

It should be stressed that the board as created is completely independent. It is not, as was the case, under the 1938 act, a part of the authority. It will submit its own report directly to the Congress, rather than reporting to the authority.

This air safety board is to be a panel of air accident investigators and safety experts. These men must accept full public responsibility for their work, and a panel of five is provided so as to let them divide up assignments by sitting in divisions.

## Section 802

This section covers qualifications for membership on the air safety board.

## Section 803

This section stipulates a 6-year term for members of the air safety board, with a salary of \$9,000 per year.

## Sections 804 and 805

These sections give the air safety board jurisdiction to appoint and control its own personnel and to control its own expenditures subject to appropriations by the Congress.

## Section 806

This section prescribes the duties of the board in detail. Summarized, these duties are to investigate accidents involving aircraft, to report thereon, to make recommendations for prevention of such accidents, to make technical special studies concerning safety in air navigation; and to make recommendations to other Government agencies concerning regulations and practices and other matters looking toward reduction or elimination of accidents involving aircraft.

## Section 807

This section removes any possible doubt concerning the complete independence of the safety board.

## Title IX

This title includes provisions concerning governmental authorities other than the Civil Aeronautics Authority. It contains, in addition to some completely new material, a

rewrite of provisions of the Air Commerce Act of 1926 and of the Civil Aeronautics Act of 1938.

## Subsection 901 (a)

This subsection requires Presidential approval for issuance of certificates for foreign air transportation, to foreign air carriers, or to air contractors if authorizing operations outside the continental United States or in Alaska.

## Subsection 901 (b)

This section is a provision for air space reservations, carried over from the Air Commerce Act of 1926.

## Subsections 902 (b), (c), (d)

These subsections authorize the Secretary of State to negotiate agreements with foreign governments for the benefit of the All American Flag Line; place the full facilities of the State Department at the disposal of the All American Flag Line in connection with its negotiations with foreign governments or foreign nationals; and prohibit the Secretary of State from negotiating agreements for the benefit of any other air carrier engaged in foreign air transportation.

## Subsection 902 (e)

This is a very important provision. It is effected to require that any agreement respecting the formation of any international organization for regulation or control of world aviation, or respecting the participation of the United States in such an organization, shall not be entered into by this country except by treaty. This assures that the Senate will be consulted in connection with any such agreement and will have the power to approve or disapprove it.

## Subsection 902 (f)

This subsection puts the Authority in on negotiations of any agreements with foreign governments in connection with air commerce or air navigation.

## Section 903

This section conforms to the language desired by the Weather Bureau in order to facilitate performance of its duties in connection with air navigation.

## Section 904

This section directs the Authority to make recommendations to the National Advisory Committee for Aeronautics, thereby putting the Authority on the same basis as the War and Navy Departments.

## Section 905

This section has been brought over from the Air Commerce Act of 1926.

## Title X

This title is concerned with both civil and criminal penalties.

## Section 1001

This section brings under the civil penalty provision violations of rules or regulations properly issued by the Authority, and provides for compromise of civil penalties, for violation of rules and regulations, by the governmental agency and Authority under which the rules and regulations were issued.

## Section 1002

This title brings violations of rules and regulations under criminal penalties in the same manner as the previous title brought such violations under civil penalty provisions.

## Section 1003

This section follows substantially the language of the existing law with respect to venue and prosecution of offenses.

## Title XI

This title governs conduct of proceedings and assignment of functions by the Authority.

## Section 1101 (a)

This subsection is the same as the corresponding provision in existing law except that the direction for conduct of proceedings speedily and fairly is made mandatory rather than permissive.

## Section 1101 (b)

This subsection contains provisions for the assignment of work and functions within the Authority. In substance it is the same as similar provisions in the Interstate Commerce Act. Successful experience of the I. C. C. in operating under these provisions has been correlated with difficulties encountered by the Civil Aeronautics Board in operating without any such assigned provisions, and this subsection has been adapted to the specific needs of the civil-aeronautics field. This system of assignment has worked very well for the Interstate Commerce Commission and may be expected to work well here.

## Section 1102

Subsections (a), (b), and (c) of this section are carried over from the present law.

Subsection (d) has been rewritten to give the Authority power to fix rates for both interstate and foreign air commerce and air transportation.

Subsection (e) is substantially the same as the provisions of existing law except that a new subparagraph has been added requiring the Authority, in exercising its powers over rates, to recognize "The right of every person, under the American system of free enterprise, other considerations aside, to risk his capital or forego possible profits in an endeavor to build his business or establish, develop, or expand a new enterprise."

Subsections (f), (g), (h), and (i) are substantially the same as the corresponding provisions of existing law. A new subparagraph has been added in subsection (g) to implement the control given the Authority or tariffs of air contractors. While a provision of this nature is necessary to make such control effective, it should always be borne in mind, as previously stated, that the primary purpose of providing for regulation of air contractors is to afford them protection and not to hamper them in the conduct of their business, and the Authority will be expected to exercise its powers under this subsection in accordance with that purpose.

## Sections 1103, 1104, and 1105

These sections are carried over from the Civil Aeronautics Act of 1938 substantially unchanged, except that a new subsection (g) has been added to section 1105 to provide for reconsideration by the Authority of any order previously entered, and upon application by a party to the order.

## Section 1106

This section grants a right of appeal to the courts from any order of the Authority, excepting only orders relating to foreign air carriers subject to the approval of the President. This right of appeal may be exercised by any person having an actual substantial interest in the order, regardless of whether such person was a party to the original proceeding or is named in the order. Adequate time limitations are provided so that a request for reconsideration by the Authority under the previous section may be filed, if desired, and thereafter appeal may be had to the courts.

## Sections 1107, 1108, and 1109

These sections are substantially the same as the provisions of existing law. In section 1109, language has been inserted to require the Authority to permit the intervention in any proceeding of all persons having a substantial interest in the matter under consideration.

## Title XII

This title includes miscellaneous provisions.



## Section 1201

This section grants to air carriers and air contractors power to take action necessary for safety reasons. In this respect, it puts the commanding officer of an aircraft in substantially the same position as the captain of a ship at sea under the shipping laws.

## Sections 1202 to 1205, inclusive

These sections are carried over from the Civil Aeronautics Act of 1938.

## Section 1206

This section limits sale of fuel, oil, equipment, and supplies, and the furnishing of mechanical service or other assistance to aircraft, from Federal stores or by Federal personnel, to cases of real emergency.

## Title XIII

This title contains necessary provisions for the repeal of prior aviation legislation.

## Section 1301

This section replaces the Air Commerce Act of 1926, with a saving clause avoiding abolition of the office of Assistant Secretary of Commerce. Provisions of the 1926 act not previously repealed and desired to be retained have been incorporated in this bill.

This section also replaces section 7 of reorganization plan No. 3 and section 7 of reorganization plan No. 4, and repeals the Civil Aeronautics Act of 1938, which this bill, if enacted, would replace.

## Title XIV

This title is concerned with the preservation of provisions of existing legislation and existing rights thereunder.

## Section 1401

This section concerns the transfer, from the Secretary of Commerce to the Commissioner of Customs, of functions relating to the entrance and clearance of aircraft.

## Section 1402

This section preserves programs previously authorized for construction and improvement of airports.

## Section 1403

This section covers necessary transfer to the new Civil Aeronautics Authority created by this bill of personnel and property of the Civil Aeronautics Board, the Civil Aeronautics Administration, and the Department of Commerce; saves unexpended balances of appropriations already made; and provides for continued effectiveness of safety rules and regulations prescribed by the Civil Aeronautics Board until amended, replaced, or superseded under this act, and for completion of safety investigations already commenced.

## Section 1404

This section continues in effect orders, regulations, etc., issued or promulgated under existing legislation, until modified, superseded, or otherwise acted upon under this bill.

Subsection (b) of this section provides that this bill shall not affect any pending administrative proceedings; while subsection (c) makes similar provision with regard to pending judicial proceedings. Subsection (d) covers transfer of records.

## Section 1405

This section is the usual separability clause.

## Section 1406

This section provides for the effective date of the bill, if enacted, and authorizes extension of the applicability of any provision of the act at the discretion of the authority if necessary in the public interest.

## SUMMARY OF STATE AVIATION LEGISLATION

## State aviation commissions

Seventeen of the 48 States do not have an aviation commission. Regulatory au-

thority in these States is in various State agencies. For example, in Idaho the department of public works makes aeronautical regulations and rules; in North Dakota the railroad commission is empowered to make rules and regulations and enforce them.

Thirty-one of the States have an aeronautical commission. Only 8 of these commissions serve with compensation. Only 7 of the 31 commissions have a full-time executive head, or director who receives compensation. Five of the State commissions receive a per diem compensation, the provision usually being that compensation shall not be over a certain figure a year. For example, Wisconsin allows \$10 per diem, not to exceed \$150 per annum, and Illinois allows \$15 per diem, not to exceed \$500 per annum.

Five of the States have aeronautical advisory boards, three of them without compensation, and in Iowa the department of the adjutant general acts in an advisory capacity.

## Administration

The regulatory powers of the State aviation commissions vary in almost every State. A few States have very broad powers with respect to safety and economic regulation, the legislation recently passed in Alabama being an example. The majority of the States have given their aviation commissions a general or somewhat limited power, the emphasis being on safety regulation, but also including the right to make reasonable economic regulations.

In the case of California, authority with respect to aeronautical matters rests with the State legislature, excepting airports, which are under local control. In several other States the power to make rules and regulations is vested in various State agencies, such as in North Dakota, where the railroad commission has that authority.

Over 10 of the States have adopted most or all of the Federal rules and regulations as their own. Ten other States have specific provisions in their aeronautical legislation that rules and regulations must conform as closely as possible to Federal rules and regulations.

## Licenses

Thirty-five States require a Federal license for both airmen and aircraft.

Five States require Federal or State license for both airmen and aircraft.

Two States require Federal and State license for both airmen and aircraft.

One State requires only a State license for both airmen and aircraft, although a Federal license is acceptable.

One State requires a Federal license for common-carrier aircraft only.

One State requires a Federal or State license for airmen, and only a Federal license for commercial planes.

One State requires no license for aircraft and a Federal license for airmen.

Two States require only a State license for airmen and aircraft.

## Property taxation

The air lines are subject to real property taxes in all States with the exception of Pennsylvania. However, they generally lease rather than own their hangars and traffic solicitation offices, and operate from municipally owned fields, with the result that their direct payments of this type of tax are small in volume.

Personal property taxes are payable on at least the tangible personalty such as planes, offices equipment, spare motors, etc., in all States except, (1) Delaware, New York, and Pennsylvania, where all personal property is tax free, and (2) Idaho, Maryland, Massachusetts, Michigan, and New Hampshire, where planes are exempt, but some or most other tangible personalty is taxable. How-

ever, tangible personal property, like other property, is taxable only where it is held to have its tax situs, and few local assessors have asserted jurisdiction over the planes of commercial carriers. As a matter of fact, the tax situs of planes is subject to considerable question and will remain so at least until the Supreme Court decides the case of *Northwestern Airlines v. Minnesota*, which is now under deliberation. There are at least three conflicting theories on this subject. Some believe that planes operating in more than one State are taxable only at the corporation's domicile; since most of the air lines are domiciled in one of the States which exempts planes, this is about the equivalent of holding that the planes of the interstate carriers are not taxable. Others believe that planes are taxable only at the head office of the air line, the "commercial domicile." This theory exempts planes of several large companies whose head offices are in New York and Pennsylvania, two of the States which tax no personal property. A third theory holds that a State may tax as property a fractional part of the fleet of any air line using a port within the State, the fraction being computed as the ratio of route miles in the State to total route miles or in some other fashion reasonably designed to divide the fleet fairly among the States of operation.

The last theory of tax situs is the one which is likely to result in the most complete taxation of air-line property. Its standing before the Supreme Court will probably be made clear by the forthcoming decision in the *Northwestern Airlines* case. Thus far, only eight States have laws providing for this type of taxation on air-line property. These States are: Kentucky, Nevada, North Dakota, Oregon, Utah, Washington, West Virginia, and Wyoming. In these eight States, the property, both real and personal, is assessed by the State tax department rather than by local assessors, although most of the taxes collected on the assessments go to local governments.

Corporations operating air lines are subject to net income tax in 30 States and the District of Columbia. Most of the remaining 18 States do not have corporation net income taxes on any corporation; however, 3 States, New York, Oregon, and West Virginia, tax some corporations on this base but not air lines. There has been some question, however, whether a State could tax the net income of an air line which engaged in no intrastate commerce, with the result that there has been less taxation on this base than might be expected from the above figures. Furthermore, several of the most important air fields in the country are in States which have no corporation net income taxes, such as Florida, Illinois, Michigan, New Jersey, Ohio, Texas, and Washington.

Capital stock taxes are just about as widespread as corporation net income taxes. There is also the same constitutional question concerning an air line which engages in no intrastate commerce. For this reason and for the further reason that capital stock taxes are usually moderate in rate, the States derive very little from this levy on air lines.

Gross earnings taxes are believed to be applicable to air lines in only eight States—Arizona, Indiana, New Mexico, New York, Pennsylvania, Tennessee, Washington, and West Virginia. It has been assumed by all of these States they could not tax receipts from interstate commerce, and only a few of them, notably New York and Pennsylvania, have enough intrastate commerce to derive appreciable revenues from this source.

The air lines are subject to State unemployment compensation taxes on the same basis as other employers of the requisite number of persons. Aside from the fact that this tax accounts for the largest segment of the air

lines' State and local tax bills, there is nothing peculiar about its application to these carriers.

Taxation of privately owned planes follows the general pattern of taxation concerning commercial air lines. However, it is usually more efficient, because there is less confusion as to situs, and the assessment is done by local assessors and not tax commissions, as is the general rule with commercial equipment.

#### Gasoline taxation

Forty-three States impose a tax on gasoline used in aircraft. However, 29 of those States have provisions granting refunds of the tax paid. Some of the refunds, though, are only partial.

For example, in Kentucky there is a refund on gasoline used in interstate commerce; in Michigan there is a 50-percent refund made for gasoline used in scheduled interstate commerce; Virginia allows a refund for gasoline to be used outside of the State.

Five States have no tax on aviation gasoline; of those five, Kansas and Oklahoma have arrangements for an annual exemption permit which exempts the holder from the tax.

Fourteen States have no provisions for refunds and the money is used in various ways. Alabama, for instance, divides the money derived from gasoline tax equally between the highway department and counties and municipalities. Idaho, Maine, and South Carolina law provides that the money derived from such tax shall go into the State aviation fund.

In a few States—Georgia, Nebraska, and Oklahoma—gasoline used in aircraft that is being used for United States cadet-training purposes is exempt from taxation.

#### Airports

Every one of the States has legislation authorizing cities to construct and maintain airports. In some few instances an agency of the State itself has been authorized by the State legislature to own, construct, and operate airports. Most of this legislation expressly authorizes cities to accept grants of funds from the Federal Government and to further cooperate with the Federal Government in carrying out airport programs.

#### Airport zoning

There are now 28 States which have legislation authorizing airport zoning. Most of this legislation is not as comprehensive as the model act referred to under the section of this statement entitled "major points."

Mr. McCARRAN. Mr. President, I send to the desk and ask consent to introduce what I hope will be the aviation law for the United States in the future. The bill is not perfect, but it is, we hope, possessed of certain recommending qualifications and conditions which will finally bring about its approval by the Congress of the United States. We ask that the bill be referred to the Committee on Commerce.

There being no objection, the bill (S. 1790) to create an independent civil aeronautics authority and an independent air safety board, to promote the development and safety, and to provide for the regulation of civil aeronautics, and to assure to the United States world leadership in aviation, introduced by Mr. McCARRAN, was received, read twice by its title, and referred to the Committee on Commerce.

#### FEDERAL AID FOR READJUSTMENT OF VETERANS IN CIVIL LIFE—AMENDMENTS

Mr. McCARRAN submitted several amendments intended to be proposed by him to the bill (S. 1767) to provide Fed-

eral Government aid for the readjustment in civilian life of returning World War No. 2 veterans, which were severally ordered to lie on the table and to be printed.

#### NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. AIKEN. Mr. President, I submit a proposed amendment which I ask to have printed. The amendment would require all agencies and corporations owned or controlled by the Government to be audited by the General Accounting Office.

In accordance with rule XL of the Standing Rules of the Senate I give notice in writing that I intend to move to suspend paragraph 4 of rule XVI for the purpose of proposing the amendment to House bill 4070, in order that the amendment may be taken up and voted upon after the committee amendments to the pending independent offices appropriation bill shall have been disposed of.

The amendment intended to be proposed by Mr. AIKEN to House bill 4070, the independent offices appropriation bill, was ordered to lie on the table and to be printed, as follows:

At the proper place insert the following additional section:

"SEC. —. (a) The financial transactions of every agency or corporation of the Government of the United States, or created under its authority, either directly or indirectly (including any agency or corporation the majority of the capital stock of which is owned by the Government of the United States), except as provided in subdivision (d), for which an appropriation has been or shall hereafter be made by the Congress, shall, beginning with the fiscal year 1945, be audited annually by the General Accounting Office in accordance with the principles applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. A report of such audit shall be made to the Congress, together with such recommendations as the Comptroller General may deem advisable.

(b) The expenses of such audit shall be paid from moneys advanced therefor by each such respective agency or corporation, or from any appropriation for the General Accounting Office; and any such appropriation so used shall be reimbursed promptly by such agency or corporation as billed by the Comptroller. For the purpose of such audit the representatives of the General Accounting Office shall have access to all paper, books, files, accounts, financial records, and property belonging to or under the control of any such agency or corporation and shall be afforded full facilities for verifying transactions with the balances in depositaries and with fiscal agents: *Provided*, That the certified financial reports and schedules of the fiscal agents of any such agency or corporation based on commercial audits in the usual course of business may be accepted by the General Accounting Office in its audit of the financial transactions of any such agency or corporation as final and not subject to further audit or verification.

"(c) Any examination of the corporate records shall be made at the place or places where the records of such agency or corporation are normally kept in the transaction of its business.

"(d) The provisions of this section shall not apply to any agency or corporation of the Government the financial transactions of which are otherwise required to be audited under authority of Congress."

#### SPECIAL ASSISTANT, COMMITTEE ON MILITARY AFFAIRS

Mr. REYNOLDS submitted the following resolution (S. Res. 273), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That Resolution 142, agreed to June 12, 1943, authorizing the Committee on Military Affairs to employ, during the fiscal year beginning July 1, 1943, a special assistant to be paid at the rate of \$3,300 per annum from the contingent fund of the Senate, hereby is continued in full force and effect during the fiscal year beginning July 1, 1944.

#### CONSTITUTIONAL AUTHORITY FOR ISSUANCE OF EXECUTIVE ORDERS

Mr. SHIPSTEAD. Mr. President, I observe that the chairman of the Committee on the Judiciary is present. I should like to ask a question of him concerning Senate Resolution 196, which was submitted by me. The resolution has been in the hands of the Committee on the Judiciary for some time. It deals with a request that the Committee on the Judiciary examine and make a determination as to the various Executive orders, for the purpose of determining the force of the authority upon which they are based. The resolution calls for an inquiry by the committee. I have been awaiting a report from the Committee on the Judiciary on the resolution. I should like to ask the Senator from Nevada if he expects to secure some action on the resolution within the near future.

Mr. McCARRAN. Mr. President—

Mr. BARKLEY. Mr. President, if the Senator will permit me to interrupt, I think I probably can answer the question. The resolution was brought up in the Senate a week ago by the Senator from Illinois [Mr. LUCAS], the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, to which committee the resolution had been referred. When unanimous consent was requested for consideration of the resolution that day, I asked that the resolution go over until I could look into it myself. I did so on my own responsibility. In view of the fact that various newspapers connected that action on my part with a visit I made that morning to the White House, I will say that the President had nothing to do with it. I do not know whether he even knew such a resolution existed. I thought the resolution was of such character that I should be allowed to look into it before it was brought up. My request for an opportunity to do so was granted, and the resolution automatically went to the calendar.

I have no desire at all to delay consideration of the resolution, but I desire to look into it. I think we probably can take it up one day this week, and dispose of it.

Mr. SHIPSTEAD. I thank the Senator.

#### ST. PATRICK'S DAY ADDRESS BY SENATOR O'MAHONEY

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the address delivered by Senator O'MAHONEY at the annual dinner of the Friendly Sons of St. Patrick



at Washington, D. C., on March 17, 1944, which appears in the Appendix.]

#### POST-WAR PROSPECTS—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the Record an address entitled "Post-War Prospects" delivered by him in Milwaukee, Wis., March 16, 1944, before the Paint, Varnish, and Lacquer Association, which appears in the Appendix.]

#### PROTECTION OF SMALL BUSINESS AFTER THE WAR—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the Record an address on the subject Must Government Controls Be Continued After the War to Protect Small Business? delivered by him to the American Business Congress in New York City, March 17, 1944, which appears in the Appendix.]

#### EQUAL JUSTICE UNDER LAW: TOLERANCE ESSENTIAL TO DEMOCRATIC GOVERNMENT—ADDRESS BY SENATOR TAFT

[Mr. TAFT asked and obtained leave to have printed in the Record an address entitled "Equal Justice Under Law: Tolerance Essential to Democratic Government" delivered by him before the Akron Chamber of Commerce on March 3, 1944, which appears in the Appendix.]

#### DEVELOPMENT OF FOREIGN OIL RESOURCES—ADDRESS BY SENATOR MOORE

[Mr. CAPPER asked and obtained leave to have printed in the Record an address entitled "Should the United States Government Develop Foreign Oil Resources?" delivered by Senator Moore at America's Town Meeting of the Air on March 16, 1944, which appears in the Appendix.]

#### ADDRESSES BY PEARL S. BUCK AND ADMIRAL H. E. YARNELL IN COMMEMORATION OF SUN YAT-SEN

[Mr. THOMAS of Utah asked and obtained leave to have printed in the Record addresses in commemoration of Sun Yat-sen delivered, respectively, by Pearl S. Buck and Admiral H. E. Yarnell, United States Navy, retired, at the Metropolitan Opera House, New York City, on March 12, 1944, which appear in the Appendix.]

#### ST. PATRICK'S DAY ADDRESS BY HON. JAMES A. FARLEY

[Mr. CLARK of Missouri asked and obtained leave to have printed in the Record an address delivered by Hon. James A. Farley under the auspices of the Catholic Club of St. Louis, at St. Louis, Mo., on the 17th day of March 1944, which appears in the Appendix.]

#### CHURCHILL AND THE ATLANTIC CHARTER—ARTICLE BY WILLIAM HENRY CHAMBERLIN

[Mr. LANGER asked and obtained leave to have printed in the Record an article entitled "Churchill Buries the Atlantic Charter" by William Henry Chamberlin, from the Progressive, La Follette's magazine, for March 13, 1944, which appears in the Appendix.]

#### BARUCH'S BONUS FOR BIG BUSINESS—ARTICLE BY ADDISON STEELE

[Mr. LANGER asked and obtained leave to have printed in the Record an article entitled "Baruch's Bonus for Big Business," by Addison Steele, from the Progressive for March 13, 1944, which appears in the Appendix.]

#### RUBBER AFTER THE WAR—ARTICLE BY HARVEY S. FIRESTONE, JR.

[Mr. BURTON asked and obtained leave to have printed in the Record an article entitled "What About Rubber After the War?" written by Harvey S. Firestone, Jr., and published in the Saturday Evening Post of March 4, 1944, which appears in the Appendix.]

#### GUARD DUTY IN NAVY YARDS BY EX-SERVICEMEN

[Mr. DAVIS asked and obtained leave to have printed in the Record a letter from Earl J. Thomas, commander, Navy Yard Garrison No. 508, Army and Navy Union, to Vice Admiral Adolphus Andrews, member of the Navy Manpower Survey Board, on the subject of guard duty in Navy yards by ex-servicemen, together with the reply thereto, which appear in the Appendix.]

#### SENATOR McNARY—POEM BY HORACE C. CARLISLE

[Mr. HILL asked and obtained leave to have printed in the Record a poem entitled "Senator McNary," written by Horace C. Carlisle, which appears in the Appendix.]

#### PRODUCTION OF FOOD—ADDRESS BY REPRESENTATIVE HOPE, OF KANSAS

Mr. CAPPER. Mr. President, last Thursday night I had the pleasure and profit of attending the food forum dinner in this city and listening to the food problem discussed from several different angles. There were present some 700 persons.

One of the most interesting speeches of the evening was made by Representative CLIFFORD R. HOPE, of Garden City, Kans., Member of the House of Representatives from the Fifth District of Kansas. When all is said and done, Mr. President, the food problem is basically a problem of production, food has to be produced before it can be distributed and consumed.

During this emergency the farmers of Kansas and of the Nation generally have done a magnificent job. With a serious labor shortage, with inadequate supplies of machinery, with his marketing problems complicated by tire and gasoline shortage, the American farmer nevertheless increased the food production of this country one-fourth in 3 years, measured by volume. Representative HOPE tells the story of the American farmer and the war in his address. I ask unanimous consent that it be printed in the Record at this point, as a part of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Here in America, we are accustomed to taking food for granted. We overlook the fact that in all the history of mankind there has never been a period when a large proportion of the human race did not suffer for lack of food. Recorded history is full of stories of famines, one after another, coming right down to A. D. 1943. For a large part of the human race, life has always been a constant struggle to get enough to eat.

It is only in a time of stress like this, that Americans give much thought to food. Today, the rationing of certain important foods has made us food conscious. This is not because we are suffering from hunger or any possibility of actual hunger in the United States. The American people as a whole have lived better during the past 3 years, as far as food is concerned, than during any period of similar length in our history. That is, in spite of rationing, we have consumed more

good, wholesome, nourishing food during that time than ever before. Furthermore, the distribution of this food among the people has been wider and more general than ever before in our history.

In addition to feeding its own people well, this country has produced sufficient food to supply our armed forces with the most generous and adequate food supply ever consumed by any army since time began and has had an excess to export to our allies and those living in occupied territory. For the year 1942, 13.6 percent of our food production went for military purposes and lend-lease; and for 1943, 25 percent went for this purpose.

Since the beginning of the war much publicity has been given industry and labor for our tremendous achievements in war production. This publicity is deserved. Too much credit cannot be given to this miracle of production. Much of it is spectacular and dramatic, and all of it is unsurpassed in the world's history.

The farmer's part in war production has not been dramatic. It has been given little publicity, but everyone familiar with the facts knows that the farmer's achievements in war production have been in many ways more remarkable than those of industry. It must be remembered that our increase in industrial production was possible because of tremendous expansion in plants and plant capacity, because of greatly increased personnel, and because of priorities which made it possible for war industries to secure the materials which they needed. Not so with the farmer. He secured an increase of 21 percent in total farm production between 1939 and 1943 and a 24-percent increase in food production during that time. The significance of this achievement is apparent when it is recalled that this increase was in spite of the fact that the farmer had less labor, less machinery, less fuel, and less transportation equipment in 1943 than he had in 1939. That is the miracle of farm production. It has been possible only because of the patriotic, untiring, everlasting work of the American farmer and every member of his family. Reports by the Department of Agriculture on the length of the farm day in Middle Western States show farm operators working from 12 to 13½ hours per day and hired workers almost as long. In many cases this is a 7-day week. Farmers out in my district jokingly refer to their 8-hour day—8 hours in the forenoon and 8 hours in the afternoon.

Since the war began the number of workers on the farms has declined 4 percent, but this does not begin to tell the story. From the beginning of the national defense program in 1940 to July 1, 1943, 2,600,000 actual or potential farm workers left farms and more than a million others took nonfarm jobs while continuing to live on farms. Those who left, particularly those called into the military service, were the younger workers, highly skilled in the use of farm machinery. All of them were experienced. Their places have been taken by unskilled workers, by women and children, by older men and women, all of whom have patriotically contributed their best to farm production but, of course, they cannot compare in skill and experience and physical strength with those who have been taken away by the war effort.

The same handicap has existed from the standpoint of machinery. The allotment of material for machinery for 1943 was 40 percent of the production for 1940. That doesn't mean, however, that farmers got 40 percent of the machinery they got in 1940. As a matter of fact, it is doubtful if they actually received 20 percent of the 1940 production. Allotments of material in many cases were not made until too late for delivery in 1943. In many other cases the allotments were not for the type of machinery most needed. For 1944

the allotment is 80 percent of the 1940 output, but no one believes that 80 percent will be delivered, and, as a matter of fact, right now several types of machinery needed in planting are unavailable. Prospects for harvesting machinery seem better. With ample labor, the shortage of machinery would not have been such a handicap. With ample machinery, the shortage of labor would not have been so serious. But what was accomplished was done in spite of serious and appalling shortages along both lines.

Attention must be called also to the fact that in many cases the farmer, at the request of his Government, has produced crops with which he had had no experience and for which he did not have suitable machinery. This is because the war effort required important shifts in production. We needed more fats and oils to replace the loss of imports. We needed more dairy products, eggs, pork, and lard to supply our allies. We needed more feed grains to take care of our increased livestock production. From 1939 to 1943 we increased our oilseed crops 145 percent, a considerable part of it produced by farmers who had never grown those crops before. The number of our beef cattle increased 27 percent between 1939 and 1943. Not only did we increase the number of hogs tremendously, but we grew them to greater weights so that pork production for 1943 was 68 percent more than 1939. Never in all our history have we produced anything like the quantity of meat which was made available during 1943. A statistically minded friend tells me that if all the cattle which were slaughtered in this country in 1943 could be represented by one gigantic steer, he could put his hind feet in the Arctic Circle, get a drink out of the Gulf of Mexico, and wrap his tail around the aurora borealis; and that if all the hogs could be made into one enormous hog, he could dig a ditch as big as the Panama Canal in two roots and a half. Then let's take a look at eggs and chickens, because there again is something to crow about. Between 1939 and 1943 egg production increased 39 percent and chickens 33 percent. We've come close to having two chickens in every pot.

Let's not forget that while the weather has a lot to do with the production of crops, when it comes to livestock it is all the result of good hard work. Let's not forget that these long hours of the American farmer were not spent in comfortable factories with all modern conveniences, but that most of them were spent under a broiling summer sun or in the Arctic winds of winter. Also, let's not overlook the fact that when we wanted war production, we not only gave the manufacturer adequate labor and whatever priorities were necessary for plants and machinery, but we arranged to pay whatever price he thought necessary to get production. The fabulous profits of industry are being cut down through taxes and renegotiation but, nevertheless, no manufacturer of war materials took any chance of a loss in his operations, and in many cases a large part of his operations were conducted on Government capital. Not so with the farmer. He has been held to a rigid price structure. In some cases he has had the assurance of support prices, but in all cases he has been limited to fixed ceilings. Along with this he has taken the risks as to weather, insect pests, and plant and livestock diseases, against which there is no insurance. In most cases he hazarded a large part of his capital in his season's operations. Yet few farmers have hesitated at these risks, and in almost all cases the goals set by the War Food Administration have been equaled and in many cases exceeded.

We hope the time will soon come when the war's end will make it possible for us to send some of our bounteous production to the undernourished people of the war-torn countries. The American farmer shares the will-

ingness of all Americans to relieve this distress. He produced the food which fed the children of Belgium, France, and Germany after the other World War and, like all other Americans, he is willing to make whatever sacrifices are necessary to help the people of the occupied countries who have suffered most in this war.

We do not know when that time will come but when it does, the American farmer will be ready. He can be pardoned, however, for feeling some anxiety and uneasiness as to just what will happen when the war ends, especially if it should end suddenly, causing a decline in military and export demands. If this should be followed by widespread unemployment, incident to a change-over from war to peace, thus reducing the buying power of American workers, the problem might be serious. It is true that Congress has passed legislation guaranteeing a support price of 90 percent of parity on the most important agricultural commodities for 2 years after the war. This, however, does not necessarily solve the problem. If we should end that 2-year period with large surpluses, the effect on prices might be disastrous.

In the meantime, and as long as production is needed on a war-time basis, the American farmer is entitled to more assurance than he has had up to date as to his ability to secure labor, machinery, and transportation. Those things can and must be made available in greater amounts than in the past. If food is given the priority which it should have as an essential war requirement, there is still time to do much during this crop year along those lines.

I was asked to discuss the farmer's part in war food production. I cannot refrain in concluding from making a brief reference also to the splendid achievements of the food industry in processing and distributing this great food supply. It has done a magnificent job and the fact that there has been no profiteering by either farmers or the food trade is pretty well attested by the fact that there has never been a time in the history of this country when the American people were spending as small a proportion of their national income for food as they are today, only 21 percent. And, as heretofore mentioned, during the past 3 years our people have consumed more good wholesome nourishing food than ever before. If we were consuming the same quality and quantity of food that we did as a Nation in the period from 1935 to 1939, we would be spending only 16 percent of our national income for food.

One thing that is needed now, by both agricultural producers and processors, is a clear statement of our Government's policy on surplus disposal and on relief and rehabilitation following the war. All Government discussion of post-war programs up to date has failed to include agriculture. The Baruch report, while admirable in many ways, does not even touch upon the problem of agriculture except a brief reference to the disposition of surplus stocks. No post-war program can be considered adequate in any sense which does not take fully into consideration the fact that there will have to be an adjustment in the character and quantity of agricultural production following the war. There will have to be a carefully worked out plan for disposing of surplus stocks in order to protect both the processor and the farmer. The sooner definite programs can be worked out along these lines the better it will be for everyone.

#### NORWAY PAYS ITS WAY—ARTICLE FROM THE SATURDAY EVENING POST

Mr. WILEY. Mr. President, I ask that there be printed in the RECORD at this point an excerpt I have taken from the Saturday Evening Post entitled "Norway

Pays Its Way." This is a short but remarkable article, showing how the little Nation of Norway, which before the war was not only paying its way but was creating a surplus each year, now that the war is on is utilizing its merchant marine, and with that not only maintains the interest charges upon its bonds, but is paying the cost of government, though Norway is occupied by the Nazis.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### NORWAY PAYS ITS WAY (By Leslie Roberts)

The check said to pay the Royal Norwegian Air Force \$1,000,000, and Director General Erling H. Samuelsen, of the Norwegian Shipping and Trade Mission in Canada, signed with a flourish, as he does for equal or larger amounts whenever the Norse fliers ask for money. More goes from the mission in New York, for its merchant navy has been paying for Norway's war effort ever since German warships steamed up Oslo Fjord on April 9, 1940, and "Quisling" became another name for traitor.

At Little Norway, the airdrome in northern Ontario where young Norwegian falcons learn to be fighter pilots, the commandant had talked about the war aims of the youngsters who have escaped from the homeland to fight. What they have on their minds, he said in back-of-the-throat English, is to set Norway free, nothing else. That is enough to occupy them for the present, because, to each youngster, freeing Norway means freeing his own family, his own girl, his own village, from the Nazi yoke. Focusing on such an objective leaves no time for abstract speculations. Gripped by an obsession, thousands of young Norwegians have escaped across the North Sea to Britain and Canada, thousands more through the back door into Sweden, thence overland across Siberia to take ship to North America. Before Pearl Harbor, many journeyed down through Japan in search of ocean passage. Others went by way of India, and some even trekked from Sweden to ports on the African coast. Often they took a year to make the base in Canada.

They were training under Norwegian instructors to do a special job for Norway, after polishing off in a Canadian service flying school, they would be shipped to Britain for induction into Norwegian squadrons which retain their national identity from C. O.'s office to cookhouse. They fly with the R. A. F., and up to the late fall of '43 had won 170 awards for bravery while amassing an ominous record in enemy aircraft destroyed, for which circumstance they give full credit to team flying.

#### EARNING FREEDOM THE HARD WAY

The commandant bristled visibly when asked, "Who pays the bills? Does the Canadian Government provide the air stations, hangars, aircraft, uniforms, food, and pay?" The query prompted the visit to the shipping mission, where the director-general provided answers which every citizen of the United Nations should paste in his hat to remember when judgment day comes and war's accounts are tallied.

At the time of invasion, Norway's merchant fleet tallied almost 5,000,000 tons and was the world's fourth largest. More important, almost 50 percent of the ships were less than 10 years old and many of them were fast Diesel-driven tankers and ships specially designed to carry perishables. Even before invasion, 54 ships, under charter to the British, had been lost by enemy action. Now wireless orders went to every Norse master, instructing him to make for the nearest friendly port and go to work for his own government.



Without one exception, the captains complied. Through 1941 and 1942 they carried half the oil and a third of all the foodstuffs which reached Britain. Throughout the battle of the North Atlantic a ship went down every second day. But the merchant fleet kept on slugging, taking such replacements as it could get and working the whole fleet under forced draft. By such devices less than 30,000 Norwegian sailors have footed the bill for their country's war effort, while the homeland itself has been locked in bondage. The sailor even pays his taxes as he would at home. Every krone of revenue, every öre of compensation, has gone into the government's coffers, alongside the country's gold reserves, which were sneaked out of Norway while the battle was at its height.

Paying for the war effort is not the only job. Other commitments are met on the nail. In 1943, a loan of \$20,000,000, floated in 1923 in the United States, was paid in full on maturity. Norway is ready to send its check for a similar loan which will come due this year.

The result is a serious case of hero worship of the merchant seamen on the part of the youngster in a Norwegian uniform. Without them, he says, "we would have been fighting on the charity of our allies." You gather that the last thing any upstanding young Norseman wants is any part of any man's charity. He has a job on his hands—to set his beloved Norway free and to pay the bills as he goes.

#### EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

The VICE PRESIDENT. The pending question is on agreeing to the amendment of the Senator from New York [Mr. MEAD] to the committee amendment on page 13, line 1, inserting in lieu of the figures "\$4,191,143", the figures "\$6,146,000."

Mr. HILL. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Overton
Andrews	Ferguson	Radcliffe
Austin	George	Revercomb
Bailey	Gillette	Reynolds
Ball	Guffey	Robertson
Bankhead	Hatch	Russell
Barkley	Hawkes	Shipstead
Bone	Hayden	Stewart
Brewster	Hill	Taft
Bridges	Holman	Thomas, Idaho
Brooks	Johnson, Colo.	Thomas, Utah
Buck	Kilgore	Truman
Burton	La Follette	Tunnell
Bushfield	Langer	Tydings
Byrd	McCarran	Vandenberg
Capper	McClellan	Walsh, N. J.
Chandler	McFarland	Weeks
Clark, Idaho	McKellar	Wheeler
Clark, Mo.	Maybank	Wherry
Connally	Mead	White
Davis	Millikin	Wiley
Downey	Murray	Willis
Eastland	O'Mahoney	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr.

SMITH] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Massachusetts [Mr. WALSH], and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent.

The Senator from Indiana [Mr. JACKSON] and the Senator from Washington [Mr. WALLGREN] are absent on official business.

Mr. WHERRY. The Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from South Dakota [Mr. GURNEY], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NIEL], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

The Senator from New York.

Mr. MEAD. Mr. President, on Thursday last we were discussing the amendment which I offered with reference to the appropriations for the Federal Communications Commission. I shall not require much time to complete my argument. I merely desire to sum up what I deem to be the essential points in support of my amendment.

The agency for which I plead for reasonable appropriations began the work involved in this appropriation in the early 1920's. It was not only a pioneer in the field of policing the air waves but it was alone in the field, and as a result it developed the only expertness in the field at that time.

There are two essential divisions of the Federal Communications Commission involved in these appropriations. One has to do with policing the industry or the air waves in this country and in our Territorial possessions. Speaking of transfers of activities to the War Department, in my judgment it would be just as reasonable to assume that we should transfer the F. B. I., the Secret Service, and the Postal Inspection Service to the War Department in time of war as to transfer this policing service of the air waves. The policing of the air waves is inherent in the activities of the Federal Communications Commission. It locates illegal stations. It keeps the industry functioning legally and smoothly. It furnishes aid to a dozen or more Federal agencies.

The other activity is that of monitoring—not monitoring the military statements or speeches emanating from enemy countries, but monitoring the propaganda emanating from enemy

countries, monitoring the speeches delivered by representatives of lay agencies, not military agencies, and furnishing a report of its monitoring activities and results to many Federal agencies and numerous foreign governments.

If we deny the Federal Communications Commission the right to continue in this field, it is my judgment that duplication and quadruplication will result, and that the appropriations will be increased, not by a few hundred thousand dollars here and there, but by millions of dollars, in order that this work may be carried on by the several agencies to which these services are indispensable.

These two divisions, the monitoring division, having to do with broadcasts emanating from civilian agencies located within enemy countries, and the policing of the air waves to prevent illegal activities, eliminate espionage, and keep the industry within the law, have nothing to do with duplicating the efforts of the military agencies. They have their own services, which deal primarily with the movement of troops, the action of the military forces of the enemy, and such other matters as are primarily military in character.

These two civilian activities of the Federal Communications Commission render invaluable service to the Civil Aeronautics Authority, the Foreign Economic Administration, the Office of Strategic Services, the O. W. I., the State Department, and the new agency now in formation, referred to as U. N. R. A., and also in connection with our inter-American activities. In order that those agencies might receive efficient service, the President, after a review of the subject, created what may be termed a "policy board", a board on which all these agencies, including the Army and Navy, enjoy representation. This board has to do with the matter of the delegation, dissemination, and distribution of the services performed by this pioneering agency, the Federal Communications Commission.

On Thursday the statement was made in the debate that the President was interfering with the war effort, and that he should respect the letter received at the White House from the Secretary of War and the Secretary of the Navy. Mr. President, there is no politics involved in this activity, because, after all, it was the President who appointed Secretary Stimson and Secretary Knox. It was the President who assigned all the leaders having to do both with our military and our civilian agencies. When he appointed Secretaries Knox and Stimson, the cry went up that their appointments were political in character. Opposition among members of their own party was heard throughout the Nation. How can the President be consistently charged with political interference, at the same time that Knox and Stimson, who were criticized by members of their own party for taking these important assignments, are suddenly to be considered above and beyond all partisan influence and considerations? For my part, I am willing to believe that the President, as well as

the Secretaries, is above partisan considerations so far as the war effort is concerned.

Of course, the military agencies should have all the services they require, and they are provided for in their own appropriations. The military should have—and it does have it—all the co-operation this agency can give. But, Mr. President, the military may at times make mistakes. If I may cite but two, let me say that in the Truman committee report there was some meritorious criticism of the activity of the military in connection with the Canol project in Canada. If I were to cite another error which was probably made by one or the other of the military agencies, let me say, again referring to the Truman committee report, that a long controversy raged with respect to the construction of small boats. For months the Navy insisted on the design and production of its own small landing boats. Finally, after long delay, it joined the Army and followed the example of foreign countries by adopting the small landing craft built in this country by private enterprise.

Mr. President, in summation, allow me to say that the long history of the Federal Communications Commission in these particular fields, namely, the policing of the air waves, and the monitoring services, as well as their expertness as the result of long experience, should lead us, I believe, to the support of this agency and the appropriations which they require to carry out the functions to which I have referred.

Mr. President, it occurs to me that unless we provide them with adequate appropriations we will provide the military and civilian agencies with enlarged appropriations entirely out of proportion to the appropriations contained in the amendment which I have offered. Therefore, Mr. President, I trust that the appropriations for the Federal Communications Commission will be restored.

That is all I have to say on the subject except to ask permission to add to my remarks at this point in the RECORD a statement on the subject which I have prepared.

Mr. WHITE. Mr. President, reserving the right to object, is the statement which the Senator from New York has asked to have incorporated in the RECORD a statement which he himself prepared?

Mr. MEAD. Yes; it is a statement with reference to what I said in the debate last Thursday.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

**SOME OF THE THINGS RADIO INTELLIGENCE DIVISION HAS DONE DURING THE PAST 3½ YEARS**

**ILLEGAL AND ESPIONAGE RADIO OPERATIONS**

1. It has uncovered more than 360 cases of unlicensed radio operations—some of these were serious—one was in the German Embassy 2 days after Pearl Harbor—others have been Japs in internment camps.

2. It has been called upon by other agencies to clear up tens of thousands of cases—9,000 of these required field investigations by mobile units equipped with special detection devices, about half of these cases were referred to F. C. C. by Army, Navy, and

F. B. I. and about one-third were reported as subversive operations.

3. It helped convict the spies in the Brooklyn trial a couple of years ago by showing that the station which the spies were communicating with was in Germany.

4. It first uncovered Axis espionage radio operations in Latin America, intercepted the traffic thereby informing our Government of the vital information Germany was getting by this means and enabling our Government to make representations to South American governments, fixed general locations of espionage stations in South America from its direction-finding stations in this country, at request of State Department sent engineers to South America who determined exact location of the transmitters. As a result many powerful transmitters have been closed out and hundreds of Nazi spies rounded up.

5. Has located hundreds of Axis espionage circuits throughout the world.

6. Right after war began when Army reported every unidentified radio signal it heard on the west coast as a Jap spy, R. I. D. men were called and brought order out of chaos.

7. Cooperates fully with F. B. I., British, and Canadians, as well as other agencies of United States Government in work in this field.

**INTERFERENCE**

1. Has kept order in spectrum by keeping stations licensed by F. C. C. to their proper frequency, power, etc.

2. Many complaints are received every day by police, industry, commercial, safety, and governmental radio services that there is some signal interfering with important communications. Same facilities R. I. D. needs for work on espionage and illegal operations are used to track down the interfering signals and eliminate them.

3. Army and Navy rely on R. I. D. to do this work and are constantly calling on it to determine the signal interfering with one of their circuits. Not only are Navy transmitters repeatedly found to interfere with Army circuits and vice versa, but Navy transmitters with other Navy stations and Army stations with other Army stations. This work of R. I. D. constantly receives the highest commendation of armed services and others.

4. Two thousand cases involving interference to some circuit have required investigations by mobile units. Other tens of thousands have been handled by R. I. D. experts, who from experience can identify most any signal on the air merely by hearing it and by taking bearings over long distances from fixed R. I. D. direction-finding stations.

**LOST AIRCRAFT**

1. R. I. D., on request, has given emergency bearings to more than 400 lost aircraft—requests now come in to help military aircraft at a rate of at least 2 a day. Same service is also rendered Civil Aeronautics Authority and air lines.

2. R. I. D. appropriations over last 3½ years have been about \$2,000,000. Lost aircraft saved by R. I. D. much more than make up for this, when it is considered a big bomber and crew in terms of investment run to \$750,000 apiece.

**INTERCEPTS**

Other Government agencies including State Department, Federal Economic Administration, Office of Strategic Service, Federal Bureau of Investigation, Weather Bureau, Office of Censorship, and even Army and Navy rely on the Radio Intelligence Division to intercept much foreign radio and telegraphic traffic for the very important intelligence it includes.

**TRAINING**

R. I. D. men are recognized as the experts in the field and they have trained personnel in the armed services, men from South American countries as part of a hemispheric plan

to combat Axis espionage, and men from other Government agencies.

**MILITARY**

On specific request, and only on specific request, R. I. D. has helped Army and Navy do jobs which they have not been able to do or which R. I. D. men can do better. Quantitatively this work has been rather small.

Mr. MEAD. If there is to be no further discussion, Mr. President, I ask for favorable action on the amendment.

The VICE PRESIDENT. Has the Senator from New York concluded?

Mr. MEAD. I have concluded. I now yield the floor.

Mr. MCKELLAR. Mr. President, one of the provisions contained in this amendment was gone into very fully by the other House and also by our committee. I refer to the item of approximately a million and a half dollars for conducting the Radio Intelligence Division and the Foreign Broadcast Intelligence Service. It was found by the House and by the Senate committee as well, that this service was a duplication of what the Army and Navy is doing today. It seems that some time ago the authorities of the War Department and of the Navy Department got together and said that this activity should all be under the Army and the Navy. Unquestionably, in my judgment, that is true. In the judgment of the committee it was true. The committee was overwhelmingly of the opinion that there was a duplication of service which was not warranted by the facts presented.

It is true that Mr. Fly, the very energetic and able Director of the Federal Communications Commission, has been exceedingly active. He testified before our committee, and the committee heard his testimony for a day or two. During his testimony he pleaded very earnestly for the continuation of this service the appropriation for which the House left out, amounting to more than a million and a half dollars. After hearing him with the greatest of care, and with every consideration, the committee determined that there was almost entirely a duplication of effort, and that it was not necessary in the war effort. As we are in a very expensive war the committee agreed with the House of Representatives that this item should be eliminated.

As to the item of \$300,000, the committee felt that during the war, during a time when it is very necessary to conserve our resources, this activity could get along with \$300,000 less. There was a provision on page 12 of the bill to purchase "not to exceed 20 passenger-carrying automobiles." We thought that that would be extravagant at this time, and it was stricken out. After going into the matter very thoroughly we felt that of the House item of approximately \$4,491,000 about a million and a half dollars should be eliminated and the amount of approximately \$300,000 in the general appropriations should be cut down. The amendment of the Senator from New York is to restore both items. He has put them both together—the \$300,000, which our committee cut out, and the item of \$1,500,000 which the



House cut out. I think the amendment should be defeated.

We heard the testimony on behalf of the Federal Communications Commission. It has a very interesting activity. In times of peace we might well afford to be liberal with the people's money and give the Commission more money with which to experiment. Many of its activities comprise experimental work in the field of radio. Under other circumstances it might be proper to give the Commission these extravagant appropriations, but under the present circumstances it seems to me to be almost a willful waste of the people's money to grant these large appropriations. I am very hopeful that the Senate will vote down the amendment of the Senator from New York.

**MR. LA FOLLETTE.** Mr. President, I am sorry to find myself in disagreement with the able chairman of the committee and with the majority of the committee insofar as the issues involved in the amendment offered by the junior Senator from New York [Mr. MEAD] are concerned. As I understand, the House struck from the Budget estimate \$1,000,000 for the Radio Intelligence Division, \$500,000 for the Foreign Broadcast Intelligence Service, \$113,607 for new positions requested, \$21,897 for the Personnel Division, and \$19,353 for the Budget and Planning Division, making a total of \$1,654,857.

Reading from the letter of the chairman of the Federal Communications Commission to the committee:

The Commission is impelled to request the restoration of (1) the \$1,000,000 cut off the estimate of the Radio Intelligence Division; (2) The \$500,000 cut off the estimate of the Foreign Broadcast Intelligence Service; \$46,369 for 15 new positions in the Foreign Broadcast Intelligence Service for expanding the coverage of Japanese broadcasts; and (3) \$52,965 for 14 new positions in the Engineering and Accounting Department for rate and integration work required principally because of the recent merger of the domestic wire-telegraph carriers.

Mr. President, as I see it, the activities carried on by the Foreign Broadcast Intelligence Service and the Radio Intelligence Division are of vital importance. The Foreign Broadcast Intelligence Service monitors the broadcasts of enemy radio stations. Every Senator within the sound of my voice knows that propaganda is one of the new and modern weapons of war. It is new and modern because of the development of short-wave radio transmission, which permits the enemy to broadcast directly into the countries that are allied against them and every Senator knows full well that our enemies have made very important use of this new technique in attempting to reach the countries of the Allied Nations in an effort to create dissension within those countries and, insofar as possible, to break down the morale of the home front in the Allied Nations.

So far as I am able to ascertain, the Federal Communications Commission is simply a service agency insofar as its Foreign Broadcast Intelligence Division is concerned. It was set up at the specific request and suggestion of the State

Department; and, if we pause a moment for consideration, it seems quite natural that the State Department should be the one Department which would primarily be interested in the propaganda which is filling the air waves 24 hours a day from innumerable radio stations located in the Axis countries and beamed directly to the Allied Nations. After this service was established other agencies of the Government became interested in it. Originally, the Board of Economic Warfare, because it was endeavoring to utilize the moneys made available to it to buy up strategic materials in the neutral countries of the world in an effort to prevent our enemies from obtaining them, naturally became vitally interested in enemy propaganda. I do not know how many Axis stations there are that beam propaganda to South and Central America, speaking in the language of the countries to which the broadcasts are beamed, but I should say that there are numerous stations which are on the air 24 hours a day trying to create dissension and to undermine the effort and unity of the nations in this hemisphere in their war effort. Naturally, any agency such as the Bureau of Economic Warfare, now, under the new Executive order, the Foreign Economic Administration, would be concerned to have the essential portions of the various Axis propaganda broadcasts monitored, that is, listened to, translated, and furnished to them at the earliest possible moment.

This service is also furnished to a large number of other agencies of the Federal Government now engaged in the war effort. I assert that there is no duplication whatever insofar as the monitoring of foreign propaganda broadcasts is concerned, and, if the amendment of the Senator from New York is not adopted, this service will be either crippled or completely eliminated. Mr. President, if we want to be an ostrich, if we want to take the position that we are not going to recognize the importance of enemy propaganda insofar as this war is concerned, then let the Senate vote down the amendment.

Furthermore, I wish to point out that since the war has progressed this work of the Foreign Broadcast Intelligence Service has been integrated with that of our allies, because, obviously, for geographical reasons, in a global war it is not possible to monitor all enemy stations from any one country, and, therefore, our activity in this field, having been commenced, as I have said, at the request of the State Department, has been integrated with that of the British and other allies and this information is merged each day by cable. The British have no good listening stations, for example, so far as the Japanese propaganda is concerned. Do Senators think it is unimportant to know what the Japanese propaganda short-wave stations are saying to the people of Burma when our troops are making some effort, feeble though it may be, to attack through Burma.

Mr. President, every person who knows anything about the war must be aware that the enemy propaganda had softened

up the native population, so to speak, so that in the early stages of the war against Japan they were at least indifferent, if they were not hostile, to the British military operations.

The foreign propaganda is synchronized; it is a part of the common whole of our enemy's war effort; and yet we are now confronted with such a situation that if this amendment is not agreed to the one agency of this country which is prepared to carry on and has been carrying on this work, will find its work crippled or completely eliminated.

We will then either have to furnish more money to set up another agency in the Government to carry on this monitoring service, or we will have to be without the benefit of it, and I unhesitatingly assert that for us to take any such action as that proposed would be the height of stupidity, for our ears would then be closed to the propaganda efforts of the enemy being carried on by a myriad of high-powered short-wave radio stations which are a network in the Axis propaganda efforts. I cannot believe that the Senate of the United States would want to take any such action at this time.

Mr. President, the Radio Intelligence Division is another activity of the Federal Communications Commission. It was set up when the Commission was organized. It is the police arm of the Federal Communications Commission, insofar as the regulation and control of domestic broadcasting is concerned. Every Senator who is at all familiar with the subject of radio must know that, because of the way in which original licenses were granted, they were issued very freely. Under the Department of Commerce procedure in the early days, licenses were issued in the order in which they were filed, and while I do not know whether it was a facetious story or not, I was told about a man years ago who wanted a radio station in his home town who came to Washington and kept the taxi waiting while he went into the Department of Commerce, got his license, put it in his pocket, went back to the train, and returned home to establish his station. That is not in criticism of the Department of Commerce. First of all, we were in the early years of this art, and, secondly, the courts had rendered a decision which indicated that applicants were entitled to licenses.

As a result, the broadcast band of the radio spectrum is jammed, and every Senator who listens to the radio must know that to be a fact.

The only way by which the ether can be kept in a condition so that the listener may get fairly decent service will be as a result of the Radio Intelligence Division activity in keeping the domestic broadcasters within the terms of their licenses so far as wave bands, power, and other operating features are concerned. The only way that can be accomplished is by having a network of monitoring stations, as well as portable monitoring outfits which can go into the various areas and make certain that the broadcaster has not expanded his band, is not broadcasting on a broader

band than he is entitled to use, or that he is not feeding more power into his broadcasting equipment, thus creating more interference than would otherwise be the case.

Furthermore, the Radio Intelligence Division polices the ether to prevent unnecessary interference because of faulty electrical equipment, such as X-ray equipment, diathermic machines, faulty transformers, leaky high transmission lines, and other things not related to radio which cause electrical disturbances, but because of the high frequency with which those electrical devices throw off their interference they destroy the effectiveness of any particular radio broadcast band.

Mr. President, if we reduce the appropriation as drastically as the House has reduced it, and as the Senate committee has recommended that it be reduced, we will be crippling the police arm of the Federal Communications Commission, which it has established in order that it may discharge the responsibility which it has to discharge as the result of an act of Congress.

I do not make any invidious charge, so far as broadcasters are concerned, that they will take advantage of this situation if they know that the Senate and the House have decided to impair this police service, but I do say that we all know that in every line of business—in every activity in the country—there are those who will take advantage of such a situation, and in the crowded condition which exists in the broadcast band or segment of the radio spectrum I say that such violations might seriously impair the service rendered to the people of the United States by the radio broadcasters. Certainly in time of war we should not do anything to impair that service. It is of vital importance that the people of the United States shall have the best possible reception from their broadcast stations in time of war.

Mr. BURTON. Mr. President, will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. BURTON. The Senator has been dealing with two separate subjects.

Mr. LA FOLLETTE. Yes.

Mr. BURTON. The appropriation for the Foreign Broadcast Intelligence Service, amounting to half a million dollars, and the appropriation for the Radio Intelligence Division, involving a million dollars. As I understand, the proposal before the Senate will require that we act on both subjects at the same time. Does the Senator intend to afford us opportunity to act on each separately?

Mr. LA FOLLETTE. I have not any control of that. The pending amendment is sponsored by the Senator from New York [Mr. MEAD]. I have merely been seeking, since there are not many Senators present, to make it plain for the RECORD that there is a fixed responsibility in this matter, and I merely took up and discussed those two separate divisions, so that I could attempt to eliminate what I fear is some confusion in the thinking of Senators who are not on the committee, and who have not had opportunity to go into this matter.

I may say as an aside, that I think that in all probability, in view of our subsequent involvement in war, the Commission probably chose bad names for both these divisions by incorporating the word "Intelligence" into them, because that immediately arouses in the minds of Senators and other interested parties the idea that they have something to do with military or naval intelligence. I shall show, as I proceed, that it is only incidentally, and only as they are specifically requested to do so by the Army or Navy, or divisions thereof, that any military or naval intelligence service is rendered by either one of these divisions of the Federal Communications Commission.

Mr. BURTON. Mr. President, will the Senator yield further?

Mr. LA FOLLETTE. I am glad to yield.

Mr. BURTON. Am I to understand that there is any necessary relationship between these two items? Might it not be possible that Senators who wish to preserve the Foreign Broadcast Intelligence Service with an appropriation of \$500,000 would like to vote to do so, and yet be opposed to using \$1,000,000 against the recommendations of the War and Navy Departments? Yet the pending question requires us to approve the \$1,000,000 as well as the \$500,000 in order to save the \$500,000 item.

Mr. LA FOLLETTE. Of course, Senators may have a feeling about either one of these services. So far as I am personally concerned, I think they should both be continued in operation. But Senators may differ about that. As I say, however, the amendment is sponsored by the Senator from New York [Mr. MEAD] and is not in my control.

Mr. BURTON. I thank the Senator.

Mr. LA FOLLETTE. Mr. President, with that brief statement in a preliminary way I wish to discuss this matter in a little more detail. I listened to the entire debate on Thursday, and the only basis that I understood to be advanced for the proposal to cut \$2,163,857 from the appropriation for the Federal Communications Commission was that its war activities duplicated the work of the Army and the Navy. I have been unable to find any evidence in either the record of the House committee or in the record of the Senate committee, or in the debate on last Thursday, to support that contention, unless it be the letter made public by the Cox committee of the House, from Admiral Leahy addressed to the Secretary of the Navy, and before I conclude I shall make further reference to that letter. But there is no other evidence that I am able to find in either the testimony taken by the House committee or the testimony taken by the Appropriations Committee of the Senate.

As to \$1,163,857 of the amount proposed to be cut, it has not even been suggested by anyone that any duplication is involved. The House reduced, as I have said, by \$500,000, the amount which is necessary for the work of the Commission's Foreign Broadcast Intelligence Service. That is a purely war activity, and one established at the request of the Secretary of State.

The Commission is engaged 24 hours a day in listening to and recording foreign radio broadcasts and reporting on them to several hundred offices throughout the Federal Government—in the Office of War Information, in the State Department, in the Foreign Economic Administration, in the Office of Strategic Services, in the Army, in the Navy, and others. The Army and Navy do not do this work. No other agency in the Government does this work. The Foreign Broadcast Intelligence Service is the only agency which we have for finding out what the enemy is saying over the radio to its home population, and, what is more important, Mr. President, what it is saying to our population and to the populations of every other country in the world, Allied or neutral, outside the Axis.

The Army and Navy have not asked that this work be transferred from the Commission, and so far as I am able to ascertain—and I have gone to the trouble of making some inquiries—they are completely satisfied with the service which they receive from the Commission.

The Senator from New York [Mr. MEAD], during his discussion on last Thursday, put in the RECORD letters from various Army and Navy officials indicating complete satisfaction and in many instances enthusiastic approval of the work being done by the Federal Communications Commission. I heard it whispered around the Senate off the record that those letters had been solicited by Mr. Fly or by someone in the Federal Communications Commission. I do not believe that to be a fact, and if Senators will read Dr. Leigh's testimony they will see that he pled with the chairman of the committee to make a genuine effort to find out on the initiative of the Appropriations Committee what the various branches of the Army and Navy felt about its work. But the chairman did not feel that that was in his province. However, I will digress long enough to say that in my opinion, before striking down or crippling these two Divisions, it would have been better if the Appropriations Committee had made a thorough investigation of the matter. The blind swinging of the appropriations ax, Mr. President, may turn out to be of benefit to our enemies rather than to that of the taxpayers of the United States.

The balance of this \$1,163,857 portion is taken from the Commission's regulatory functions which no other agencies perform. Therefore we can eliminate any question of duplication in connection with the work covered by that amount.

That leaves \$1,000,000 as to which even a question of duplication has been raised. This concerns the work of the Commission's Radio Intelligence Division. Even here we have been given only general and unsupported statements. No facts whatever are cited in support of it, so far as my reading of the House and Senate committee hearings and the debate on last Thursday are concerned. The Radio Intelligence Division monitors the radio spectrum.

Mr. BRIDGES. Mr. President—

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator



from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. I yield.

Mr. BRIDGES. I was not in the Chamber when the Senator from Wisconsin began to speak, but I should like to ask him how he divides the increase called for by the so-called amendment offered by the Senator from New York [Mr. MEAD]?

Mr. LA FOLLETTE. As I understand, the House cut out \$1,000,000 from the Radio Intelligence Division. The House cut \$500,000 from the Foreign Broadcast Intelligence Service. I am now reading the figures from Mr. Fly's formal letter requesting restoration of funds cut by the House. New positions requested, \$113,607. Personnel Division, \$21,897. Budget and Planning Division, \$19,353. Which makes a total of \$1,654,857 cut by the House below the Budget estimates.

In his letter the Chairman asked for the restoration of the \$1,000,000 cut off the estimate of the Radio Intelligence Division. He asked for restoration of the \$500,000 cut off the estimate of the Foreign Broadcast Intelligence Service, \$46,369 for 15 new positions in the Foreign Broadcast Intelligence Service for expanding the coverage of Japanese broadcasts, and \$52,965 for 14 new positions in the Engineering and Accounting Departments for rate and integration work required principally because of the recent merger of domestic wire telegraph carriers.

Then, as I understand, the Appropriations Committee of the Senate, instead of restoring any of these items, made a further cut. I hope the Senator from New York will correct me if I am mistaken, but my understanding is that his amendment provides for the restoration of the amounts asked for by Mr. Fly in his letter, insofar as the cuts of the House are concerned, and the restoration of the cut of the Senate Appropriations Committee. Is that correct?

Mr. MEAD. Mr. President, will my colleague yield?

Mr. LA FOLLETTE. I yield.

Mr. MEAD. That is correct, except on page 12, line 2, there is one amendment which is not included in the amendment I sent to the desk. That can be restored by merely eliminating the figure recommended by the Senate committee, and by accepting the figure "\$2,209,000" which came from the House. But other than that, I have restored in my amendment the five items the Senator has set forth, except the one item on page 12, line 2, which can be restored, as I have said, by merely eliminating the Senate committee's figure, and accepting the figure "\$2,209,000."

Mr. LA FOLLETTE. In other words, except for the amendment on page 12, my statement was correct, and the net effect would be as I stated, if the Senate committee's amendment on page 12 were rejected.

Mr. BRIDGES. Mr. President, what I was referring to, if the Senator will permit me to say so, was the amount of the so-called Mead amendment which would be applied to the regular functions, as segregated from the special functions referred to.

Mr. LA FOLLETTE. It is my understanding that \$1,163,587 is the portion taken from the Commission's regulatory functions—namely, the functions of the Radio Intelligence Division. I previously said, before the Senator entered the Chamber, I think, that the Commission made a mistake when it selected that name, because during war it immediately creates in the minds of people the impression that military and naval intelligence activities are referred to. However, the record shows, and my personal checking also shows, that the Radio Intelligence Division does no military or naval intelligence work unless it is specifically requested to do so by someone in the Army or in the Navy.

Mr. BRIDGES. Mr. President, will the Senator yield further?

Mr. LA FOLLETTE. I yield.

Mr. BRIDGES. Is it the Senator's thought that the Radio Intelligence Division, so-called, is a permanent function of the Commission, and would continue, regardless of the emergency period through which we are now passing?

Mr. LA FOLLETTE. I think that in response to some requests from the Army and Navy the Federal Communications Commission has expanded that service as a part of the wartime activity. But according to my understanding of the subject, the Commission had a Radio Intelligence Division—it may not have been called by that name, but performed the functions of the Radio Intelligence Division—practically from the time when the Congress passed the Federal Communications Commission Act. That Division is the police arm of the Commission. It is the branch of the Commission which keeps broadcasters within the terms of their licenses, insofar as their wavelength bands, their antenna systems, and the amounts of power used are concerned.

Mr. BRIDGES. Mr. President, can the Senator cite evidence or authority as to who requested the Commission to expand that service in wartime?

Mr. LA FOLLETTE. The only evidence I have is that contained in the hearings. The Foreign Broadcast Intelligence Service, as distinguished from the Radio Intelligence Division, was set up at the request of the Secretary of State. The wartime activity of the Radio Intelligence Division, as I understand it, was undertaken at the request of various sections of the War Department, the Navy Department, and the Coast Guard.

Mr. BRIDGES. Can the Senator refer to any specific statements in that connection? I have heard that statement made on many occasions but I have not been able to locate any authority for the statement to that effect which the Senator and others have made.

Mr. LA FOLLETTE. The statement was made by Chairman Fly and by Commissioner Jett, and was not contradicted by any other person or by any testimony or by any documents or letters in the hearings of the Senate Appropriations Committee.

Mr. BRIDGES. If the Senator from Wisconsin, able and searching as he is, is unable to find any evidence of a direct request for the service, or if there

is none in the record, would it not be fair to assume that none existed?

Mr. LA FOLLETTE. No; I do not think that would be fair at all, in the face of the uncontradicted testimony by the Chairman of the Commission and by Mr. Jett, a member thereof.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I am glad to yield.

Mr. McKELLAR. In a moment I shall read from the testimony of the heads of the Army and the Navy as to this point; I shall read from the House committee report. I understood the Senator to say a while ago that the military intelligence service was to be for the use of the Army and the Navy, when the Commission was called upon by them. I believe Mr. Fly so testified, and I think the Senator is correct in that statement.

I desire to call the Senator's attention to the following language by the Secretary of War and the Secretary of the Navy:

Since radio intelligence develops information as to the movements and dispositions of the enemy, it is essential, for reasons of coordination and security, that there be full military control.

Since the responsibility for military action rests with the armed forces, the responsibility for obtaining the technical information governing that action must also be in the armed forces.

Military activities have been hampered by severe shortages of trained personnel and critical equipment essential to radio intelligence.

And so forth. So, Mr. President, we have the head of the Army and the head of the Navy saying that this military intelligence must be under the control of the Army and the Navy. Certainly, that should meet with the approval of Mr. Fly. Then, who in the Army or the Navy will call upon Mr. Fly or the Federal Communications Commission for military intelligence?

Mr. LA FOLLETTE. Mr. President, I think we are again confused because of the unfortunate name which has been attached to this Division. It is called Radio Intelligence; and, naturally, many persons jumped to the conclusion that the activity of the Division was in the field of military and naval intelligence. Such is not the case. The main activity of the Radio Intelligence Division has been to discharge the responsibility, fixed upon it by statute, to police the domestic radio wave bands. Incidentally in the course of that activity—for, as every Senator knows, broadcasting stations are operating all over the Nation, and in our Territories—it is necessary for the Commission to monitor radio stations; and for many years the Commission has had set up fixed monitoring stations, as well as portable monitoring stations which go from place to place, to make certain that the broadcasters are keeping within the terms of their respective licenses, as I have said before, insofar as their power, their antenna systems, their equipment, and the use of their particular kilocycle assignments on the radio wave-bands are concerned. When the attack on Pearl Harbor occurred, the Army and the Navy had

no such system. In monitoring the broadcast spectrum and the short-wave broadcasting stations—Senators must bear in mind that there are private concerns which are licensed short-wave broadcasters—it is true that the Commission has picked up military information. In listening to what came over the air the Commission inevitably obtained such information. For instance, the Senator knows that the Commission obtained a "fix" on a radio station located in the German Embassy in Washington, which it was successful in locating, fortunately, so that the station never had an opportunity to communicate with Germany. But, Mr. President, I think the evidence shows, as I previously stated—with the exception of Admiral Leahy's letter, which I shall come to—so far as the testimony before the House committee or the Senate committee is concerned, that there is not one scintilla of either oral or written testimony, or documents, to contradict Mr. Fly's unequivocal statement, supported by that of Commissioner Jett, that the Radio Intelligence Division does not perform any military or naval intelligence work unless requested to do so; and it has been requested to do so.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I will be glad to yield in just a moment.

One other thing which this agency must do is to make certain that merchant ships at sea have proper radio equipment, and to make certain that when it is desired to use it for emergency purposes, any interfering broadcasts which are taking place from our private broadcasters in the United States shall be discontinued.

Mr. MCKELLAR. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. MCKELLAR. I wish the Senator would let us know what military leader has asked for this service. The Secretary of War has not asked for it. The Secretary of the Navy has not asked for it. The commanding generals of the Army have not asked for it. We had no evidence before us to show that anybody was asking for it. I believe Mr. Fly said that some general said he wanted it, and some colonel said he wanted it; but I believe that was only a casual conversation. Those gentlemen are under the control of the military leaders, and our military leaders have certainly not asked for it. Indeed, they have signed a statement to the effect that they have all the military intelligence service that is necessary. They think that such activities ought to be under their control. They are now under their control, and this other service is not needed. That is the reason why the committee acted as it did.

Mr. LA FOLLETTE. I recall the statement that they were specifically requested to monitor ship traffic for the Coast Guard since the beginning of the war. I remember specifically that they have been asked to assist the Air Corps in the location of lost aircraft. According to my recollection of the testimony, more than 400 lost aircraft have been located at the specific request of the particular

branch of the service under whose direction those planes were flying, in order that they might get what is called a fix by taking the waves from transmitters from different angles. The statement was made in the record that, entirely aside from the personnel saved, the value of the equipment saved for the various armed services and for the Coast Guard is more than the amount of this appropriation.

Mr. MCKELLAR. No Army officer or Navy officer testified to that effect.

Mr. LA FOLLETTE. Mr. President, that does not disturb me at all. This testimony was given by Mr. Fly. It was given by Mr. Jett, and there was no evidence introduced into the record before either the House committee or the Senate committee to refute that testimony. So far as I am concerned, I think that under any proper rules of evidence the burden of proof should be upon the committee, or upon someone else, to show that this service should be crippled or stricken down.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield?

Mr. BRIDGES. The Senator from Wisconsin always assumes a fair attitude in debate. Does he not believe that if Mr. Fly, Mr. Jett, or anyone else made the statements which he attributes to them, such statements should be substantiated by a showing that someone in authority in the Army or Navy requested the service? I have not been able to find such a request in the evidence, and I should like very much to have the Senator from Wisconsin point out anything in the record which shows that someone in authority formally requested the service. I mean by that the Secretary of War, the Secretary of the Navy, the combined Chiefs of Staff, Admiral King, General Marshall, or someone with like authority.

Mr. LA FOLLETTE. On the second day that Mr. Fly appeared before the committee, he testified that on the previous day, while his testimony was in progress, the Radio Intelligence Division had been asked to take a bearing on a plane lost at sea. In the record there are several letters mentioning specific instances of planes which have been thus discovered, at the request of some branch of the military service. Without such a request, the Federal Communications Commission might not even know that the plane was lost. It is obvious that it must be requested to take this action, because as the Senator knows, the flight of military, naval, and Coast Guard aircraft is a matter of the highest military secrecy. The Federal Communications Commission could not be brought into the picture unless a request were made for its assistance.

So far as I am concerned, I am assuming that Mr. Fly and Mr. Jett were telling the truth before the House committee and the Senate committee, there being no substantive evidence to disprove their statements.

Mr. BRIDGES. The Senator is proceeding on the assumption that the testimony which they gave was correct. It is fair to assume, then, that he knows, from reading the testimony, that there

are certain informal examples, but that he knows of no formal request from the Army or Navy for this specific service of the Federal Communications Commission.

Mr. LA FOLLETTE. Let me refer to one letter which is in the record. It reads as follows:

HEADQUARTERS, SEVENTH AIR FORCE,  
OFFICE OF THE AIR FORCE COMMANDER,  
A. P. O. No. 953, May 15, 1943.

Subject: Assistance rendered by Federal Communications Commission in locating lost airplanes:

To: Federal Communications Commission,  
Supervisor Radio Security Center, P. O.  
Box 3886, Honolulu, T. H.

1. In the past months numerous calls have been made upon the Federal Communications Commission radio facilities to obtain bearings and fixes upon lost airplanes. These bearings and fixes have proven accurate and most helpful. In one particular instance on March 5, 1943, the assistance rendered by the Federal Communications Commission resulted in the prompt locating and rescuing of the crew of a bomber forced to land at sea.

So far as I am concerned, that one instance is enough to justify every dollar of the appropriation. If Senators are not interested in saving flyers for the sake of their wives and families, they certainly ought to be interested in them from a monetary standpoint, because we have spent thousands of dollars in training every one of them.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Not at the moment. I wish to finish reading the letter:

On another occasion, March 19, 1943, bearings received from the Federal Communications Commission assisted in locating a plane which was in imminent danger of being forced to land at sea. Largely as a result of these bearings this forced landing was averted.

2. Other instances too numerous to mention have occurred in which the assistance given by the Federal Communications Commission has been of inestimable value. The facilities of Federal Communications Commission have been, and still are, absolutely necessary to the successful operation of the Army's lost-plane procedure in the Hawaiian area.

3. I wish to commend the Federal Communications Commission and its men responsible for this assistance. It has been of great value and in numerous cases directly responsible for the saving of lives and valuable equipment.

WM. J. FLOOD,  
Brigadier General,  
United States Army, Chief of Staff.

Mr. President, as I stated while I was reading the letter, if the Commission's activities in this field were carried on as a result of its own necessary duty in monitoring the radio spectrum, and it found these lost planes as an incident to such activities without a request of the Army or Navy, so far as I am concerned, I am glad to see those men and that equipment saved. This letter clearly shows that the Seventh Air Force in Hawaii has been making requests, in the general's own language, "too numerous to mention."

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BRIDGES. The Senator does not mean to infer that anyone who is against



this appropriation wishes to see American flyers killed or American planes lost, does he?

Mr. LA FOLLETTE. Of course not, but I wish to bring the facts before the Senate, and I should like to have this matter considered, if possible, on its merits. I do not believe it is being considered on its merits. I want the RECORD to show, before Senators vote, exactly what the facts are insofar as I have been able to obtain them. Thereafter, of course, any Senator who votes another way I shall assume is voting because of his judgment and his belief that it is the wise thing to do. However, with regard to the important phase of the activities of the Federal Communications Commission in policing the domestic radio spectrum, in the service they are performing in assisting in locating lost planes and in eliminating and preventing the activities of enemy agents utilizing short-wave transmission, I want to see them continued. I do not wish to see them struck down for reasons other than those which are here in the record.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. I do not know what other reasons the Senator could have. We were told by Chairman Fly, when he came before our committee, that he wanted to be heard, and I think we heard him with fairness and consideration.

Mr. LA FOLLETTE. I am not making any complaint about the hearings.

Mr. McKELLAR. We gave him every consideration.

Mr. LA FOLLETTE. I have made no complaints about the hearings.

Mr. McKELLAR. I thought perhaps the Senator was complaining.

Mr. LA FOLLETTE. The Senator from New Hampshire [Mr. BRIDGES] asked me whether I thought Senators would not be interested in the saving of lives, and I simply wanted to say that I was putting the facts in the RECORD so that every Senator would at least be presumed to know what he was doing when he voted on this amendment, and that I did not want to see the amendment defeated for reasons which are not in the public record.

Mr. McKELLAR. Mr. President, the Senator refers to a lone instance in which a plane cracked up.

Mr. LA FOLLETTE. No; I quoted the general's letter in which he said, among other things, that in addition to these specific instances—

Other instances too numerous to mention have occurred in which the assistance given by the Federal Communications Commission has been of inestimable value. The facilities of the Federal Communications Commission have been, and still are, absolutely necessary to the successful operation of the Army's lost-plane procedure in the Hawaiian area.

Mr. President, I do not wish to divulge anything which by direction or indirection might be considered to be military information, but I do wish to say that all any Senator needs to do is to look at a map of the Pacific in order to realize that in the operations in the Pacific there lies the greatest hazard from the loss of planes and equipment.

Mr. McKELLAR. Mr. President, if the Senator will permit me, I wish to say that many times private radio companies have saved lives in exactly the same way, but I should doubt the wisdom of subsidizing private radio companies under such circumstances, just as I am opposed to subsidizing this particular civilian activity of the Government.

Mr. LA FOLLETTE. Mr. President, this is not a subsidy. This is an appropriation to carry out the statutory functions of the Federal Communications Commission. They are charged with the responsibility of seeing that all licensed broadcasters in the United States, and in all the Territories of the United States, operate in accordance with their licenses so far as radio frequency, their antenna system, their equipment, and the amount of power fed into the system is concerned. Every Senator who listens at all to the radio in the United States, especially if he is located near a metropolitan center, knows that it is absolutely essential to keep every broadcaster within the terms of his license lest the already confused situation in the broadcasting spectrum be made more so by unauthorized utilization of power or of frequency.

Mr. MEAD. Mr. President, will my colleague yield to me?

Mr. LA FOLLETTE. I yield.

Mr. MEAD. In addition, the Federal Communications Commission have the second duty, namely, to protect the broadcasting system of the country from illegal interference.

Mr. LA FOLLETTE. Certainly. I have mentioned that. For instance, if a transformer at a subpower station near Philadelphia on the Pennsylvania Railroad System begins to leak it may upset the entire reception of radio signals for miles around, because of the leak being of a high-frequency character. It is the duty of the Commission, under the law, to locate that leak and have it corrected. They do that all the time. I have before me a map which shows where these stations are located. I shall be glad to show the map to any Senator who desires to look at it. It will be seen that the stations are scattered at strategic places all over the United States, and are located at those places for the reason that broadcasting extends all over the United States. It is necessary for the Commission constantly to monitor those stations in order to make certain they are operating according to their licenses. It is also necessary to locate unnecessary interference as a result of transmission lines, and transformer or power-station leaks. It is also necessary to locate the use of equipment of a high-frequency character such as X-ray, diathermy, and other machines of a similar nature.

Mr. MEAD. Mr. President, will my colleague yield to me?

Mr. LA FOLLETTE. I yield.

Mr. MEAD. The statement has been made that military experts have casually made mention of this service, and the Senator has just touched upon a very vital area. I hold in my hand a letter which is not in the record or in the hearings, and, because of its confidential nature, I cannot quote it in its entirety, but it bears on the activities indicated on the mapped area which the Senator has just

mentioned. It commends the Federal Communications Commission for their services in the west coast-Hawaiian areas. It concludes by saying:

Insofar as it will not interfere with the continued functioning of this service, the Army Air Forces are pleased to have the opportunity to make emergency use of your present direction-finding facilities.

The letter is signed by H. H. Arnold, lieutenant general, commanding general of the Army Air Forces.

Mr. McCARRAN. Mr. President, will the Senator from Wisconsin yield in order that I may propound a question to the Senator from New York?

Mr. LA FOLLETTE. I yield.

Mr. McCARRAN. Are we to understand from the excerpt which was read by the Senator from New York that neither the Army nor the Navy deems this service to be essential?

Mr. MEAD. We are to construe it, if I may say so, as a commendation by the Army and Navy of the Federal Communications Commission for its cooperation in the past, and as an expression of their desire to make continued use of these direction-finding facilities.

Mr. McCARRAN. But nothing in the excerpt read by the Senator from New York is to be construed as an expression of the Army or the Navy that this service is not essential.

Mr. MEAD. Nor is it to be construed in any way to take issue with the findings of the Commander in Chief, who took issue with the Secretary of War and the Secretary of the Navy.

Mr. LA FOLLETTE. Mr. President, the Radio Intelligence Division monitors the radio spectrum to detect any unlicensed radio activity; and it is engaged in running down and eliminating radio signals from the improper operation of authorized transmitters and many medical, commercial, and industrial devices which interfere with our essential radio circuits. This work has been lodged by the Congress in the civilian agency charged with regulation of radio since the first Radio Act of 1910—the Department of Commerce until 1927, the Federal Radio Commission from 1927 to 1933, and the Federal Communications Commission since 1934. Through the years in the past and through the years to come it has been and will be the duty of the Commission to license stations, to see that they are operated so as to avoid interfering with other stations, and to patrol the ether to detect any unlicensed operations. This is the necessary and continuing function of this regulatory Commission.

Yet if the action of the House and the recommendation of the Senate Appropriations Committee shall be accepted, the activities of the Radio Intelligence Division will be crippled and rendered practically ineffective.

Even if the question were presented here, which clearly it is not, it would be wholly unwise to turn this Commission's regulatory work over to the military agencies and have them carrying on this regulatory work throughout the length and breadth of this land. As the Senator from New York suggested this morning, because we are engaged in war and

because the Interstate Commerce Commission, in its control of the railroads, regulates an essential war activity, we might just as well, and for the same lack of reason, turn over the activities and the regulatory functions of the Interstate Commerce Commission to the armed services. When the F. C. C. has the job of running down the unlicensed transmitters, necessarily it has the job of running down the unlicensed transmitters which are operated by spies—in other words, the clandestine stations. There is not only no other feasible way to do this job, but the fact of the matter is, there is no other way to do it.

In other words, if the Commission monitors the ether from this network of stations [indicating on map] established over the United States for the purpose of policing the ether so far as the domestic broadcasters are concerned, both on the broadcast band and on the short-wave band, of necessity the F. C. C. has to and should pick up any activity by any unlicensed espionage agent who may be trying to communicate with his principal in an Axis country. The record shows that 360 unlicensed activities have been found; one was found by this service in the German Embassy here, immediately after Pearl Harbor.

I firmly believe that it is because of this efficient activity that there has been so little effort made by the Axis to establish unlicensed and illegal operations of an espionage character. If we cripple the activities of the Commission in this field, we will invite the Axis agents to set up such stations.

No other agency of the Government does this work. The Army and Navy make no claim to doing it. The trial of the large group of spies in New York City a couple of years ago, which was so effectively prosecuted by the Department of Justice, was largely a radio trial. And it was the Radio Intelligence Division men who did the radio-location work involved and who monitored the circuits to pick up and record the traffic, and who testified at the trial leading to the conviction of those spies. Does the Senate want to vote to make that service less efficient; does the Senate want to vote to cripple it so that spies can more freely communicate with their principals in the Axis enemy countries?

I have referred to the transmitter in the German Embassy on Massachusetts Avenue in this very city, but I want the Senate to know that the Radio Intelligence Division had that transmitter located before it had even succeeded in establishing contact with Germany.

Mr. President, I cannot find any contention in the record that the armed services have done a single thing about closing out the espionage nests in Central and South America. The record is very clear, and it shows that the very same radio-location stations on United States territory were utilized to "fix"—that is a technical term—the approximate location of each one of those stations. Commission representatives went to those neighboring countries under the general direction of Secretary Hull and there, cooperating with the local govern-

ments, effectively assisted in closing out the espionage radio operations in Central and South America. I may say, Mr. President, that more important than eliminating and preventing the reopening of any illicit, illegal radio communications in Central and South America with our enemies, is preventing their reopening here in the United States and elsewhere in our territory.

In fact, the Army and Navy have continuously in the past recognized and today recognize that this work is the responsibility of the Commission. When in 1940 it was found advisable to expand the facilities for doing this work to meet the needs of national defense, the Commission was furnished a large amount of key equipment by the Navy and sites for 40 secondary stations at Army posts throughout the country by the Army. At that time Rear Admiral Ingersoll, Acting Chief of Naval Operations, recognized the Commission's responsibility in this field when on August 31, 1940, he informed all naval ships and stations:

The Federal Communications Commission is generally responsible for the surveillance of unlicensed radio stations. \* \* \* The Navy should accord the greatest cooperation to the Commission in this surveillance which is of great importance to national defense.

And when war came, the responsibility of the Commission for this work was specifically confirmed. On December 31, 1941, Rear Admiral Noyes, Director of Naval Communications, wrote the Commission's Chief Engineer as follows:

The Federal Communications Commission has a very important assignment in detecting, locating, and suppressing clandestine radio stations in the United States.

Similarly General Arnold wrote the Commission on October 21, 1942:

The Federal Communications Commission has performed an excellent service in preventing or detecting unlicensed radio operation and subversive communications.

The Army and Navy, like the other Government agencies, including the F. B. I., rely on the Commission to run down illegal and clandestine operations and to eliminate signals interfering with their radio circuits in this country.

That is the point I should like to drive home, Mr. President. It is entirely possible that if faulty electrical equipment throws out interference, it not only will interfere with domestic broadcasters in this country, in their particular areas or localities, but it may very well interrupt the most important military traffic being carried through the ether by the Army or the Navy or the Coast Guard. Do Senators want to curtail and injure and reduce the efficiency of this division, and have that happen?

Would the Army and Navy report these cases to the Federal Communications Commission for investigation if they were already doing the work themselves? Of course not; yet in the past few years thousands of such cases have come to the Federal Communications Commission from the military services. Just a few days ago Senators may have noticed the news account of the arrest of three Japanese internees who were operating a

transmitter at a prison camp. Had the Army been able to cover this, it is passing strange that it relied upon the Commission to do the job.

The simple fact is that the Federal Communications Commission is the only agency doing this work in this country, and if we want it done—and it must be done—we must make the necessary funds available to the Commission for doing it.

One other point I want to stress is that the same stations which are necessary to running down unlicensed and clandestine operations and to eliminating interference are used most effectively in carrying on other related work. In other words, the Commission must have these stations to fulfill the duties we have explicitly placed upon it. But at the same time, these same Commission facilities—as I have shown them on the map, scattered over the United States and located in our Territories—are used extensively by other Government departments, including the Department of State, the Foreign Economic Administration, the Weather Bureau, the F. B. I., the Office of Censorship, and others. For example, the Army and Navy, as well as the Civil Aeronautics Administration, have found these facilities most valuable in helping to save aircraft which have lost their way. The Civil Aeronautics Administration and the Army Air Forces have even asked to have special procedure set up for invoking the aid of the Commission's facilities.

On May 29, 1943, after one particularly spectacular case, Major General Giles, Acting Chief of the Air Staff, wrote Chairman Fly:

General Arnold wishes me to tell you that he genuinely appreciates the splendid assistance which the Radio Intelligence Division of the engineering department of your Commission gave to the Air Transport Command in connection with the rescue and recovery of the marooned flyers and their planes from northern Quebec. The emergency direction-finding service rendered by the Radio Intelligence Division is an excellent example of the direct aid which a civilian agency may give to the Army in the prosecution of this total war.

In all, the record shows the Commission has rendered emergency direction-finding services to more than 400 lost aircraft. It is now being called upon at least twice every day to give aid to Army aircraft which have lost their bearings. It takes the saving of but one or two planes to get back for the Government the million dollars which the Radio Intelligence Division needs to carry on its present work.

Mr. President, that does not even bring into consideration our urgent responsibility to save every one of these young men who can be saved. We owe it to their families, we owe it to their friends, we owe it to the United States. It takes a long time to train these men for combat, bomber, and transport flying.

Mr. TRUMAN. Will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. TRUMAN. I approve what the able senior Senator from Wisconsin has said. It seems absurd to train these young men and to build these planes, and



then, in case of emergency, take away a chance to save not only the young men, but the planes, and contribute to the welfare of the whole country.

Mr. LA FOLLETTE. I thank the Senator; I knew he would feel that way about it.

For the life of me I cannot understand why an effort should be made to cripple this service, which is required by statute, which must be carried on if the broadcasting spectrum is to be policed, and there is to be any order in it whatsoever; and God knows there is not enough order in it now, because of the multiplicity of stations, and their close proximity on the wave bands.

As a part of its general activity, the Commission is able to render this service. Senators can ignore a statement such as that contained in Brig. Gen. William J. Flood's letter if they wish to, but, so far as I am concerned, it would be worth every dollar involved in the amendment if only one bomber and its crew, or even just the crew, were saved. I go further; it would be worth more than a hundred times this appropriation if we could save only one of these fine young men, who represent the cream of America's youth.

I say again, Mr. President, that the burden of proof is upon those who wish to strike down this service, and there is not a scintilla of evidence in the record, aside from Admiral Leahy's letter, to which I am coming, upon which to predicate and to justify this action.

Mr. HATCH. Will the Senator yield?

Mr. LA FOLLETTE. For what purpose?

Mr. HATCH. I desire to suggest the absence of a quorum, because the Senator from Wisconsin is making a very able argument on this all-important matter.

Mr. LA FOLLETTE. I desire to be entirely frank with the Senator. I shall not yield for that purpose, because the Senate is not interested in this subject. The votes have already been lined up to kill this amendment. But I want the record made here, so that when some one of these planes, or more, go down at sea, and the crews are not rescued, those who are primarily concerned may be able to turn to the roll call on this amendment and find out who is responsible for it.

I also wish to say, Mr. President, that, in my humble opinion, the defeat of this amendment is not going to build up political sentiment for any group that takes part in such action.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Not for the purpose of suggesting the absence of a quorum.

Mr. HATCH. I am not going to make that suggestion now. The Senator has said that the Senate is not interested in the question he is discussing. I am afraid the Senator is wrong in that statement. I think Senators would be interested if they could be present and hear the discussion which the Senator from Wisconsin is making. For that reason I should like to suggest the absence of a quorum.

Mr. LA FOLLETTE. Mr. President, I must decline to yield for that purpose.

I believe that not only one or two lost planes but many planes will be saved if this money is made available. There will be many planes lost if it is not made available. In the brief time the debate on the floor proceeded last Thursday the Radio Intelligence Division was giving emergency aid to two B-24 bombers.

As I have said, the facilities necessary to track down the radio spy and an interfering signal are most effectively used in related work for other Government agencies. If the Senate should kill these very related uses of these same facilities, it not only would not be eliminating duplication but it would be requiring duplication; for in this respect, I repeat what I said in the beginning, the Federal Communications Radio Intelligence Division and its Foreign Broadcast Division are simply operating as service agencies, in addition, so far as the Federal Radio Intelligence Division is concerned, to complying with the statutory requirements that it police the ether.

Suppose the Senate kills this service. Is it not obvious that General Arnold will be forced to duplicate these stations and these operations? In the name of economy are Senators going to vote to build up a new set of these stations all over the United States, perhaps two or three sets of them, one to serve the Army, and one to serve the Navy? Is that economy? Senators cannot deny that the Commission must continue carrying on as best it can the business of policing the broadcast bands.

Mr. WILEY. Mr. President, will my colleague yield to me?

Mr. LA FOLLETTE. Yes; I yield.

Mr. WILEY. I am very much interested in what my colleague has said. He is a member of the Appropriations Committee—

Mr. LA FOLLETTE. No; I wish to disabuse the Senator's mind. I do not have that honor.

Mr. WILEY. I beg the Senator's pardon. I should like to ask my colleague one question. Apparently the House has taken action differing from what he suggests should be done. The Senate committee has also taken action different from what my colleague suggests. Could the Senator briefly enlighten me as to what were the reasons for the action thus taken by the House and by the Senate committee? In other words, how would they answer the argument which my colleague has made?

Mr. LA FOLLETTE. Mr. President, in all fairness I do not think the Senator should call on me to make an argument in support of the committee's position, to which I am opposed. As the Senator knows, I am not a lawyer, but I believe even a good lawyer would be embarrassed if he were asked to change clients in the midst of his argument and instead of being for the defense, go over to the prosecution. But I will say to my colleague that a diligent search of the House committee testimony and a diligent search of the Senate committee testimony does not show one scintilla of evidence to justify the action of the House or of the Senate committee, with the exception of Admiral Leahy's letter to the Secretary of the Navy, which I

shall discuss before I take my seat. I wish again to emphasize that, although that letter was marked "Highly Secret," it was made public by a committee of the other House, and therefore is a matter of public property and I feel at liberty to discuss it.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. Was that letter written before or after the President's reply?

Mr. LA FOLLETTE. It was written before the President's reply. It was written back in the spring of 1943. It was written February 1, 1943, the Senator from Maine [Mr. WHITE] tells me.

Mr. BARKLEY. Undoubtedly, of course, the President not only took into consideration all that Secretary Stimson and Secretary Knox said to him, but also what Admiral Leahy had said.

Mr. LA FOLLETTE. Of course. There was an exhaustive investigation made. The charge was made here last Thursday in the form of a question by the Senator from New Hampshire [Mr. BRIDGES], that this proved that the President was running the war on a political basis and interfering with the military and the naval authorities, but Mr. President, this letter and the action of the President in this regard, so far as a civilian agency is concerned, certainly do not prove that contention. I do not want to go into that letter now, but I shall digress long enough to say that although I have the highest admiration for Admiral Leahy, it is my firm conviction that he did not personally make the investigation and that the person who made it was not sufficiently informed concerning the situation. The subsequent investigation and study of the situation ordered by the President after he received the letter from the Secretary of War and the Secretary of the Navy lasted for many months. He did not reply until some time in September of 1943. In his letter he denied Admiral Leahy's contentions, and then created an agency better to coordinate the activities of the various agencies in the radio field. But I do not want to go into that at the moment. I have nearly concluded.

Mr. President, I want to iterate what I have said before, that the Commission has not rendered any of these services to the military—and that includes the Army, the Navy, and Coast Guard—except by specific request in each and every instance. It does not make sense to me that the military authorities would request these services in these hundreds of instances, accept the services, and express their gratitude for the result attained, and then continue to call for additional services, if in fact they had their own duplicating facilities to do this work. I do not believe that the Senate will believe that when it comes to consider the question.

The Federal Communications Commission has worked in cooperation with all the departments of Government which rely upon its services. The inevitable effect, as I suggested a few moments ago,

of accepting the action of the House and the recommendations of the Senate committee will be to invite these agencies to set up duplicating services which in the end will cost many millions of dollars more than is involved in the amendment of the Senator from New York. At the same time it should be pointed out that in connection with this initial action we are not supplying the money to provide these services anywhere else. So the net effect of our action, if the Senate rejects the amendment of the Senator from New York and adopts the committee amendment, will be to cripple or to destroy this service, and not set up anything in its place. That is why I want to emphasize that if we take such action the majority of the Senate must accept responsibility for the consequences, including the failure to rescue military planes lost at sea. These operations will die, and the ether will be thrown open to the enemies of this country. Mr. President, I submit that we could ill afford to indulge in such folly at the most critical and crucial period in our history.

I now wish to refer to the letter of Admiral Leahy, which apparently is the only authority which could be obtained by appropriations committees; at least, it is the only authority I have been able to find in the record of either the House committee or the Senate committee. The letter is dated February 1, 1943. As I have said, the responsibility for releasing it was assumed by the House committee, so I feel free to discuss it. It reads as follows:

MY DEAR MR. SECRETARY: In response to your memorandum to the Joint Chiefs of Staff, dated September 11, 1942, on the subject of responsibility for the conduct of security of military communications activities, the Joint Chiefs of Staff have had made a thorough and comprehensive study of the problems referred to therein in which full consideration has been given to the views of the military and naval commanders in the field who are charged with responsibility for military action based on radio intelligence. A summary of the findings is given in the following paragraphs—

Mr. President, I wish to digress from the reading of the letter long enough to say that I am informed that no member of the Federal Communications Commission or, insofar as the Commission could ascertain, none of the Commission's employees engaged in either one of these two activities, namely, the Radio Intelligence Division and the Foreign Broadcast Intelligence Division, was ever contacted by anyone representing either the Army or the Navy, and no examination was made of the Commission's facilities, except for a survey of the Commission's security methods, namely, its methods of preventing its information from "leaking" out to unauthorized persons. That record has already been read into the CONGRESSIONAL RECORD. But the report of the inspecting officer was that the security methods of the Commission were excellent. If I can put my hand on the report, perhaps I should make it a part of my own remarks at this point. The report is to be found on page 111 of the Senate committee record. It is directed to the Secretary, Joint Chiefs

of Staff, Washington, D. C., through Commander G. B. Myers, and is signed by Earle F. Cook, lieutenant colonel, Signal Corps. It reads as follows:

1. In compliance with J. C. S. 138/3, dated December 1, 1942, subject: Security of Ciphers, and in accordance with the allocation of Government agencies made to the Army and Navy Security Sections, respectively, the following summary of findings at the Federal Communications Commission is submitted:

- (a) Cryptographic security—excellent.
- (b) Physical security (cryptographic systems)—excellent.
- (c) Documentary and information security—excellent.
- (d) Qualification of personnel—excellent.
- (e) Cooperation was given fully and willingly.

2. In view of the above, it is considered that no concern need be felt over communications originating or passed in the Federal Communications Commission organization at this time.

3. The established contact between Signal Security Service and the Federal Communications Commission will be continued.

For the Chief Signal Officer:

EARLE F. COOK,  
Lieutenant Colonel, Signal Corps.

Mr. WILEY. Mr. President, if the Senator will yield to me, let me inquire what is the date of that communication?

Mr. LA FOLLETTE. April 6, 1943. That was 2 months after Admiral Leahy's letter was written. I read further from the admiral's letter:

In general, radio intelligence is the method of determining the enemy's plans and dispositions through observation of his radio communications. The facilities used for this are also used to assist our own forces through monitoring of communications channels to enforce security standards and to render assistance to our own craft.

Mr. President, in that paragraph Admiral Leahy was referring clearly to military and naval intelligence in the narrow sense of the expression. Neither the Federal Communications Commission nor any of its divisions does any military or naval intelligence work, unless it is specifically requested to do so by someone in the armed forces of the United States.

I read further from Admiral Leahy's letter:

Both the Army and Navy are engaged in radio intelligence and related activities. In addition, the Federal Communications Commission has set up an elaborate system of its own which is engaged in—

- (a) The location of enemy units at sea and abroad.

I repeat that the Federal Communications Division does not do such work, except in isolated cases, and then only at the specific request of the Army or the Navy.

The admiral's letter continues:

- (b) The interception of enemy army, navy, and diplomatic traffic.

The Federal Communications Commission does not intercept enemy army and navy traffic.

The letter continues:

- (c) The location of clandestine stations.

The Federal Communications Commission does locate espionage stations,

and has done this job efficiently and well, as I believe the record shows. That work is a responsibility, Mr. President, I reiterate, of the Federal Communications Commission, under the organic act creating it.

The letter continues:

- (d) The giving of bearing aids to lost planes.

Mr. President, I wish to state at this point, as I have stated before, that that work is done only at the request of the Army or the Navy, insofar as military aircraft are concerned; and I cited the letter of Brigadier General Giles, the Chief of the Air Corps Staff in the Hawaiian area, saying that this service in helping to locate lost planes in that area is indispensable.

I read further from Admiral Leahy's letter:

- (e) The maintenance of a "marine watch" at distress frequencies.

Mr. President, that is a responsibility of the Federal Communications Commission, under the organic act creating it. It has to maintain these marine watches, because if some ship at sea sends out a distress signal, it is the responsibility of the Federal Communications Commission to clear off the air all other traffic in the broadcast band, so that it cannot interfere with efforts to secure aid. Does the Senate wish to cripple that work? The Senator from Maine [Mr. WHITE] suggests that it is also an international obligation under our treaties with other nations.

Continuing to read from Admiral Leahy's letter:

- (f) The monitoring of military radio circuits.

Any monitoring of the United States military radio circuits has been done at the request of the Army; and a letter was placed in the RECORD on Thursday by the Senator from New York [Mr. MEAD] commending the Federal Communications Commission for having done this work, thanking it, and saying that it had helped to suppress some obscene matter going over the air from military stations, and that in each and every instance those who were responsible and who could be proved guilty had been disciplined.

These activities of the Federal Communications Commission are constantly expanding and are a substantial drain upon available material and personnel.

Mr. President, the expansion was coordinated with and approved by the Army and Navy at every step. There was no drain on personnel. The Radio Intelligence Division has only 700 men, compared to the thousands of men in the Signal Corps. There is no drain on material, as the Radio Intelligence Division equipment is a mere drop in the bucket compared to that of the Signal Corps, and is not designed to military specifications.

Admiral Leahy's letter continues:

Radio-intelligence activities of the Federal Communications Commission tend to be less and less useful as the art progresses. This is due to integration into proper radio-



intelligence systems of large quantities of secret military information accumulated through special processes by the armed forces, including exchanges of military information with our allies, knowledge of present and proposed disposition of forces, and other special information which for obvious reasons cannot be disseminated to an agency such as the Federal Communications Commission.

Mr. President, it is my judgment that the portion of the paragraph which I have just read is based upon the erroneous assumption that the Radio Intelligence Division of the Federal Communications Commission is engaged in military radio intelligence work. It is not, and the record shows that it is not. It does not perform such work.

Continuing to read from Admiral Leahy's letter:

Moreover, information obtained by the Federal Communications Commission through its own radio-intelligence activities is not, in the military sense, secure, due to inherent tendencies toward publicity of Federal Communications Commission activities, the use of nonsecure methods of reporting and correlation, and the necessarily close relationship of the Federal Communications Commission military intelligence activity with other phases of the agency's work.

Mr. President, I have already read from Lieutenant Cook's letter, written to the Joint Chiefs of Staff after Admiral Leahy's letter was written. On every score, the Colonel found the Commission's security methods, in the narrow military sense, to be excellent, and commended the Commission for its cooperation in that respect.

Coming back to the Admiral's letter:

Because of the essential differences between military and Federal Communications Commission standards and methods, it has not been possible to integrate their information, with the result that the attempted duplication by the Federal Communications Commission of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

Mr. President, I repeat that the Federal Communications Commission does not engage in military radio intelligence, and therefore there is neither opportunity nor occasion for the integration of its work.

Furthermore, Mr. President, the record is replete with letters from men in important positions in the military, attesting to the effective and valuable service rendered by the Radio Intelligence Division. As the record shows, General Strong, who is at the head of G-2 of the Army, has commended the work of the Commission in regard to its other activities.

Continuing to quote from Admiral Leahy's letter:

In view of the foregoing it is concluded that the better prosecution of the war will be served by terminating all military and quasi-military radio intelligence activities of the Federal Communications Commission and confining such activities to the Army and Navy.

As I have said, Mr. President—and I repeat—there is nothing to terminate, because there is no radio intelligence service, in the narrow military sense of

the word, being carried on by the Federal Communications Commission, unless and except in those rare instances in which the assistance of the Commission is requested by responsible personnel in the Army or Navy.

Quoting further from Admiral Leahy's letter:

Since the Army's present need for personnel and equipment in the field of radio intelligence is greater than that of the Navy, all of the radio-intelligence facilities of the Federal Communications Commission should forthwith be transferred to the Army entirely. The personnel of the Federal Communications Commission heretofore engaged in radio intelligence should be made available initially as civilian employees of the Army, pending decision by the Army as to which shall be placed in military status, which replaced by military personnel, and which would be best retained in the Army as civilian employees.

The chief of the Signal Corps of the Army does not want the facilities of the Federal Communications Commission transferred to the Signal Corps. Senators will find his letter in the hearings.

Continuing to quote from Admiral Leahy's letter:

The foregoing conclusions are supported by the views of the Army and Navy commanders in the field who are charged with responsibility for military action based on radio intelligence.

The Joint Chiefs of Staff therefore request the Secretaries of War and Navy to join in a recommendation to the President that he transfer to the Army personnel and equipment now used by the Federal Communications Commission in the field of radio intelligence. A proposed Executive order is enclosed.

From the standpoint of the present problem, the promulgation of this Executive order would leave the Federal Communications Commission in the radio field, with the responsibility for monitoring, processing, and disseminating foreign voice news, and propaganda broadcasts (its Foreign Broadcast Intelligence Service), the monitoring and inspection of stations licensed under the Communications Act of 1934, all necessary licensing procedures, including revocation and suspension, and the institution of prosecutions of licensed stations and operators for violations of treaty, statute, or regulations.

Mr. President, if I correctly understand it, that was a recommendation made by Admiral Leahy that the entire civil functions of the Federal Communications Commission, so far as licensing of radio and its policing, and all the rest of it is concerned, should be turned over to the armed forces. I submit, Mr. President, that I do not believe any Senator would be in favor of such a proposal. As I stated a moment ago, we might as well transfer to the Army all the activities of the Federal Power Commission and of the Interstate Commerce Commission merely because electric power and railroad transportation are vitally important activities in our war effort. Yet I am sure there would be no proposal to cripple those agencies or to turn their machinery over to the armed forces. Yet that is what, in effect, the admiral recommends. If that action were to be taken, we might just as well abolish the Federal Communications Commission.

The remainder of the letter is as follows:

The Army and Navy—in accordance with divisions of function between themselves—would have full and exclusive responsibility for the conduct of military radio intelligence as described in the present report.

Mr. President, after that letter was sent to the respective Secretaries of War and of the Navy they sent a joint letter to the President of the United States asking him to carry out this recommendation, and also asking that an Executive order be issued which would effectuate the recommendations contained in the letters of the Secretary of War and of the Secretary of the Navy. When their letter was received, the President of the United States caused an investigation to be made of this entire question. Following the usual procedure in the Executive Office when conflicting questions of an administrative character arise, the President called upon and utilized the Bureau of the Budget to make the inquiry. I noticed in reading the hearings that there was some criticism of the Bureau of the Budget indulging in this activity. It may be that the Bureau of the Budget has gone outside of the field which was contemplated when it was created, but every Senator familiar with the development of administrative procedure in the executive arm of the Government knows that the Bureau of the Budget had become the operating arm of the Executive Office insofar as the organization of governmental agencies and structures is concerned. Be that as it may, I assume no Senator questions the right of the President to utilize the Bureau of the Budget to conduct this inquiry. But in any case a very thorough study was made of the whole question by the Bureau of the Budget. The investigation presumably continued for some time.

The President then wrote a letter to the Secretary of the Navy, dated September 7, 1943. Senators will bear in mind that Admiral Leahy's letter was dated February 1, 1943. After having this investigation made, and after having received the recommendation from the Bureau of the Budget, the President wrote the following letter:

SEPTEMBER 7, 1943.

The honorable the SECRETARY OF THE NAVY.

DEAR MR. SECRETARY: This is in response to your letter of February 8, 1943, signed by you and Secretary Stimson, proposing an Executive order transferring the radio intelligence functions of the Federal Communications Commission to the War and Navy Departments. Your suggestion has been given careful study by the staff of the Executive offices. After full consideration I have determined that the transfer should not be made.

The work of the Radio Intelligence Division of the Commission was founded upon the long existing radio-monitoring functions carried on by the Commission as a part of its essential peacetime work.

I interrupt the reading of the President's letter long enough to say that it is a statutory obligation which the Congress has placed on the Commission.

The need for the expansion of these functions was brought to my attention prior to our entry into the war and I approved the

general set-up. Expansion has been made to meet the wartime needs of the Commission itself and of other agencies of the Government.

The Radio Intelligence Division serves important wartime needs of several of the civilian Government agencies in the radio intelligence field, including the State Department, the Federal Bureau of Investigation, the Office of Censorship, the Bureau of Economic Warfare—

Which has since become the Foreign Economic Administration—

the Weather Bureau, the Coordinator of Inter-American Affairs, and others. In addition, I understand that the Commission stands ready to perform for the Army and Navy such services as are expressly requested by them. The Commission and its Chairman have expressed to me their desire to cooperate with the Army and Navy in every possible way.

It is my desire that matters of the kind presented by the present proposal be dealt with at the outset by conferences between the interested agencies. If differences should occur, the matter should be reviewed by the Board of War Communications, which is the responsible interdepartmental body I have charged with the responsibility in the field of wartime communications.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. President, in conclusion, I wish to say that the service which is being performed, insofar as it is outside the field of actual Commission's statutory responsibility in policing the ether, is performed for a large number of agencies and departments of Government solely upon their specific request. Therefore, it seems to me that the President was correct in his conclusion that the entire regulatory functions of the Federal Communications Commission should not be turned over to the armed services, because, with all due respect to the armed services, it must be obvious to anyone that if that were done they would be solely concerned with the matters directly related to the military, and that they would not render the service which the Federal Communications Commission is now rendering to other agencies and departments of Government.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. AIKEN. I noted the date of the letter from the President was September 7, 1943.

Mr. LA FOLLETTE. Yes.

Mr. AIKEN. Can the Senator refresh my memory by stating the date of the letter from the Secretary of the Navy, Mr. Knox, and the Secretary of War, Mr. Stimson, in which they stated that they did not need this service?

Mr. LA FOLLETTE. It was dated February 8, 1943, and was based on the letter of Admiral Leahy dated February 1, 1943, which I read paragraph by paragraph, and answered paragraph by paragraph.

Mr. AIKEN. I note that there was a difference in time of about 8 months between the letter from the President and that from the Secretary of War and the Secretary of the Navy.

Mr. LA FOLLETTE. Yes. The Bureau of the Budget made a thorough investigation of the matter. If the Sena-

tor has had any contact with the Bureau of the Budget, he knows that whatever else they may be charged with, they are extremely thorough.

Mr. AIKEN. Then the Senator's argument is that the Federal Communications Commission has far better facilities for doing this work than the Army and the Navy have.

Mr. LA FOLLETTE. There is not any question about it. It is quite natural that, so far as the Radio Intelligence Division was concerned, they should have been brought into the consideration through helping to find lost planes, helping to prevent espionage stations from being set up in this country, and helping to eliminate them in Central and South America, because they had this monitoring system scattered all over the United States which had already been set up. It was their duty to have it, and they had to have it in order to police the ether, insofar as the domestic broadcasters were concerned.

Mr. AIKEN. Does the Senator know whether any testimony on this subject has been given by the Secretary of the Navy, Mr. Knox, and by the Secretary of War, Mr. Stimson, since last February?

Mr. LA FOLLETTE. There is not one scintilla of evidence in either the House or the Senate hearings to justify the action, except the letter of Admiral Leahy. Concerning that letter, I submit that it was written on an erroneous assumption that the Federal Communications Commission was dealing with military radio intelligence in the narrow sense of the word, whereas the record and the facts show that they were doing no such thing. As I have already said, I have great respect for Admiral Leahy, but I feel convinced, after making a study of this matter myself, that he did not make the investigation himself, and that the person who submitted the material in the draft of the letter for Admiral Leahy's signature was laboring under a misapprehension, largely due, probably, to the fact that the Commission made the mistake of labeling these two divisions, one the "Foreign Broadcast Intelligence Service," and the other the "Radio Intelligence Division."

Mr. AIKEN. Was there any testimony from either the Army or the Navy on this particular appropriation bill in regard to this item?

Mr. LA FOLLETTE. There is no direct testimony. The only testimony that was adduced, as I say, was the letter of Admiral Leahy which the House committee had made public and letters submitted by Mr. Fly from various generals, colonels, and other officers of the armed forces, commending specifically the activities which the Radio Intelligence Division or the Foreign Broadcast Intelligence Service had undertaken at the request of the Army or the Navy or particular branches of those services, or the Coast Guard.

Mr. AIKEN. Then, there was no direct testimony?

Mr. LA FOLLETTE. There was none whatever. Remember that the letter upon which the House committee relied, namely the letter of Admiral Leahy, was

written more than a year ago, in fact, it was written a year ago last February.

Now, Mr. President, to sum up, there are two items involved here. One is the Foreign Broadcast Intelligence Service, which is the division which is monitoring the foreign propaganda of our enemies, the propaganda which is beamed over the air not only to their own people, but to the people in this country and in every other Allied or neutral nation on earth in their own language, respectively.

Propaganda has become one of the most important weapons of war. Its objective is to mislead, to confuse, to divide, to break down the morale of the enemy or of neutrals. This is the only agency in the Government that is monitoring this foreign propaganda of our enemies and the ether is full of it, Mr. President, night and day, 24 hours a day; the Axis stations are never silent.

Now, because this is a global war, it is impossible for any one of our allies to set up listening or monitoring services which can hear all the stations of our enemies. They, too, are scattered around the world. Since this service was inaugurated—and it was inaugurated at the request of Secretary Hull—it has been integrated into the monitoring systems of our allies, and daily information picked up by the British monitoring service for example is sent here by cable, so that it may be interlarded with information obtained by our service, and similarly the information which we gather is cabled abroad, since the British do not have access and cannot listen as well as we can to the broadcasts of Japan.

One of the items involved in this matter is an increase in the appropriation for the Foreign Broadcast Intelligence Service so that it may send agents to Hawaii, which, of course, is closer to the Orient, and set up a monitoring service there, which would be less liable to static or other interference than are the stations located along the Pacific coast.

Mr. President, the House cut \$500,000 from that item and the Senate committee has confirmed the action of the House. Do we want to stick our fingers in our ears and fail to know what the propaganda line of the Axis is? Do you think, Mr. President, it is unimportant to know what is being beamed to North America from Germany and Japan? Do you think it is unimportant to know what is being beamed to Central and South America by our enemies? Do you not think it is important to know what the Japanese are saying to the Burmese in their propaganda broadcasts? Do you not think it is important to know what the Japanese are saying to the people of China?

Mr. President, we might as well say that we will have no tanks in our Army; it would be just as retrogressive, just as unjustified for us to refuse to recognize the effectiveness of enemy propaganda as a military weapon as it would be to fail to recognize the contribution of the German staff to the use of mechanized forces in warfare. Yet if the Senate shall vote against the amendment of the Senator from New York, it



will be voting to cripple the Service, if not to destroy it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HILL. Is it not true that Hitler has won more victories and far greater victories with his propaganda than he has won with his mechanized troops or his air power or any of his lethal weapons? His greatest victories have been won by propaganda; have they not?

Mr. LA FOLLETTE. I am not able to answer that question, but I am able to say that a man must be deaf, dumb, and blind if he does not know that enemy propaganda is a part and parcel of their military strategy, and that it changes from day to day and from week to week as the exigencies of the military situation require. If anyone does not believe it is effective, let him recall what happened to the British in Singapore and in Burma, and to the Dutch in Java. If there is anyone who thinks that foreign propaganda and the cry of the Japanese of "Asia for the Asiatics" had not softened up the civilian populations of areas in Asia and the south seas, then he has not read the story of Singapore and Burma and the Javanese campaigns.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. LA FOLLETTE. I yield.

Mr. HILL. In Norway, Denmark, Belgium, France, and other countries that Hitler overran he first softened them up, as the Senator so well has expressed it, by his propaganda, and thus made it easier for his air forces and army.

Mr. LA FOLLETTE. They have tried to soften up the American people. I do not think they will do that; but if you knew, Mr. President, that there were 200,000 Axis agents in the United States distributing pamphlets to the American people 24 hours a day, would you not be concerned about knowing what the pamphlets were and trying to answer them? The enemy do not have to do it with pamphlets, they do not have to do it with the printed word any more; they do it with the short-wave radio beamed to this country, beamed to Central America, beamed to South America, beamed to every one of the Allied Nations and to every neutral nation of the world, trying to create dissension, trying to appeal to the emotions of people, trying to divide, trying to mislead. Yet it is proposed, Mr. President, that we stick our fingers in our ears and refuse to know or to ascertain what they are doing.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. LA FOLLETTE. I yield.

Mr. HATCH. The Senator from Alabama and the Senator from Wisconsin have been talking about things that are in the past. I am thinking about things that are to come in the immediate future; I am thinking of the time when the second front starts, when the invasion begins, when the loss of life is going to be extremely heavy and the propaganda is going to emanate, God knows to what extent and where it will reach. Why should we cripple ourselves in the face of the things that we know are coming?

Mr. LA FOLLETTE. Mr. President, I appreciate what the Senator has said. I hasten to add that I am interested in what will happen in the future. We will not be able to intercept any foreign propaganda such as went over the air last night, when this service is crippled. I was only citing what had happened in the past in the hope I could cause Senators to consider this situation on its merits.

I appreciate the contribution of the Senator from New Mexico. It leads me to go one step further. There are, I do not know how many young men and women from the United States, who will be involved in the great military operation now impending. There will be scarcely an area in the United States which will not have a flesh-and-blood interest in it. Do not Senators think it is important to know what the Berlin radio may be saying about those operations, and about the casualties, so that we may give out all the facts, and whatever may be necessary to meet any of those statements?

Mr. HATCH. Will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HATCH. I wish to add that I did not want the Senator from Wisconsin or the Senator from Alabama to think that I was finding fault with them for giving instances from the past.

Mr. LA FOLLETTE. No; I felt sure of that.

Mr. HATCH. I do not want to be misunderstood.

Mr. LA FOLLETTE. So much for the Foreign Broadcast Intelligence Service.

Mr. HILL. Mr. President, the Senator is making such an able speech that I apologize for interrupting him.

Mr. LA FOLLETTE. That is all right.

Mr. HILL. I am sure the Senator has emphasized the fact that the Japs and Nazis record every broadcast they can pick up anywhere from our country, or from any of the other Allied countries.

Mr. LA FOLLETTE. Certainly. Now one more word on the foreign-broadcast situation. Monitoring helps to pick up a certain amount of information which may be invaluable in other respects, aside from the standpoint of propaganda.

Mr. McKELLAR. Will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. McKELLAR. The Senator from Alabama just asked a question as to what Germany was doing. I wonder what the Senator from Alabama or the Senator from Wisconsin would say as to what the Signal Service of the United States is doing. We have the grandest system of communication by radio among all the nations in the world today, and we are spending more money on it. I shall give the figures in a few moments.

Mr. LA FOLLETTE. Mr. President, if the Senator has any figures or any information to show that the work the Foreign Broadcast Intelligence Service of the F. C. C. is being performed by any other agency of the Government, it is not to be found in either the House or the Senate committee hearings, and that is all I have to go on.

So far as the Radio Intelligence Division is concerned, as distinguished from

the Foreign Broadcast Intelligence Service, the Radio Intelligence Division is the Division which is discharging a statutory responsibility which Congress has laid upon the Federal Communications Commission, namely, to police the ether here at home, to make certain that there is no interference caused by either inadvertent or deliberate violation of the broadcaster's license through the broadening of his kilocycle band, through the use of imperfect or defective equipment, or some faulty utilization of his antenna system.

Likewise the Commission is charged with locating, and constantly, through the Radio Intelligence Division, it has located and has corrected the interference created by commercial, industrial, or physiotherapy apparatus. That portion of their work is important to the Army and Navy, because it can interfere with their communications just as much as it can with the domestic broadcasters' service.

In connection with carrying out its work, and because the Commission already has this system of monitoring stations, the Commission, through the Radio Intelligence Division, has been effective in suppressing and in preventing enemy agents from utilizing radio as a means of communication with their principals in the Axis countries. It likewise has been very effective through the Department of State in helping to eliminate and to suppress and to prevent future establishment of espionage stations in Central and South America operated by Axis agents.

Thirdly, it has rendered invaluable assistance to the armed forces in obtaining radio "fix," as they call it, upon lost planes at sea or planes which are lost in the air and, because they send out from their own equipment a message, it is possible, through these stations, to take bearings on them and practically to locate them. The testimony shows that there have been more than 400 instances of the Radio Intelligence Division rendering such assistance.

The Chief of Staff of our Air Corps in the Hawaiian Islands has stated that this service is indispensable in the Army Air Corps lost-plane activity. Therefore, if this service is crippled or if it is destroyed, it will be more difficult to find such planes and to find the pilots when they have had the misfortune to go down at sea.

Mr. President, I want no part of any such responsibility. So far as I am concerned I shall vote for the amendment offered by the Senator from New York, because I believe that these activities are of vital importance in relation to the war and in relation to the discharge of the statutory obligation by the Federal Communications Commission.

Mr. McKELLAR. Mr. President, I have listened with a great deal of interest to the remarks of the distinguished Senator from Wisconsin. He always makes a good speech on any subject he undertakes to discuss, and he made a good one on the subject now before the Senate.

The Senator says there is no evidence that the Army uses this radio service. Dr. Leigh so testified, as appears on page 121

of the record, and Dr. Leigh is a member of the Foreign Broadcast Intelligence Service.

Furthermore, I wish to call attention, in a few moments, to a quotation from a letter to the Secretary of the Navy from the Joint Chiefs of Staff. If there is anyone in the world interested in foreign radio it is the Army and the Navy of the United States. The Army and the Navy are not in favor of the continuance of this service, and they believe it is a duplicating service.

The Senator from Wisconsin had much to say about the lack of proof. There is a woeful lack of proof that this service is necessary or essential at this time. There is no proof to that effect. The evidence is of the most shadowy kind. I believe the proof shows that Chairman Fly at one time rather invited the committee to send out and obtain evidence from the Army and the Navy. There was some trouble about getting that evidence, it seemed, or he could not have gotten it, because no Army or Navy officer testified before our committee. On the other hand, it is shown indisputably by the record that the Army and Navy do not want this service. They regard it as an interference with their services. The Army and the Navy have the best radio services, monitoring and intelligence services of every kind, in the world today. I will show the appropriations we have made for those services in the past. The Army and the Navy do not want other services. In view of the fact that the Chairman of the Federal Communications Commission himself says that he does not furnish the service except upon the application of the Army or the Navy, why should we provide that it be furnished, when it appears by the record that no request has been made by the Army or the Navy for the service? Why should we do it? If we were to do it it would simply be to accommodate a friend.

I read from a letter to the Secretary of the Navy from the Joint Chiefs of Staff, dated February 1, 1943, a little over a year ago:

Radio intelligence activities of the Federal Communications Commission tend to be less and less useful as the art progresses.

Does that indicate that they want the radio service of the Federal Communications Commission?

This is due to integration into proper radio-intelligence systems of large quantities of secret military information accumulated through special processes by the armed forces, including exchanges of military information with our allies, knowledge of present and proposed disposition of forces, and other special information which for obvious reasons cannot be disseminated to an agency such as the Federal Communications Commission.

Is that good sense or is it not? That letter comes from the Joint Chiefs of Staff, from the leaders of the Army and the Navy. They have the best kind of service, up-to-date service, they are using the latest in radio, and they say they do not need the more or less out-of-date service of the Federal Communications Commission. Then they proceed:

Moreover, information obtained by the Federal Communications Commission

through its own radio-intelligence activities is not, in the military sense, secure, due to inherent tendencies toward publicity of Federal Communications Commission activities, use of nonsecure methods of reporting and correlation, and the necessarily close relationship of Federal Communications Commission military-intelligence activity with other phases of the agency's work.

Is that an idle statement? Remember this—and the distinguished Senator from Wisconsin reiterated it a half dozen times—that the Federal Communications Commission was not to furnish any information except upon application of the Army and Navy. Here we have a letter from the Army and the Navy, speaking through their highest officers, saying that it is not necessary for the Federal Communications Commission to perform this service at all. As a matter of fact, as I have previously said, the Army and the Navy have the best radio service in the world today.

The letter continues:

Because of the essential differences between military and Federal Communications Commission standards and methods it has not been possible to integrate their information, with the result that the attempted duplication by the Federal Communications Commission of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

Not only is the Commission not a help to them, but it is an actual hindrance to them. Are we to proceed and disregard what the heads of our Army and Navy say about this matter? Shall we say, "We are going to give you this information whether you want it or not"? We cannot make them take it. I continue to read:

The foregoing conclusions are supported by the views of the Army and Navy commanders in the field who are charged with responsibility for military action based on radio intelligence.

Are we to go against the military commanders in the field and give them this service which they say only interferes with the service they already receive? Why should we do that? I should like any Senator who feels that we should do that to rise and give us a reason why it should be done. Why should we insist upon giving them this service when they say they do not want it?

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. VANDENBERG. There is only one question which perplexes me. I should say that the Senator was on incontestable ground if the letter were dated February 1944. The thing that puzzles me is why in this one city of ours we are so far apart that we have to have information 13 months old?

Mr. McKELLAR. If the Senator will read the different letters of the Secretary of War, the Secretary of the Navy, and the President he will find the answer.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WHITE. It is true, I take it, that there is not in the record, from its beginning to its end, any evidence that

Admiral Leahy and the Joint Chiefs of Staff of the officers in the field have ever changed their minds about this matter.

Mr. McKELLAR. Not a scintilla of evidence. On the other hand, every indirect bit of evidence there is shows that they still entertain the same view. They say they have already built up the best system of radio that can be devised.

Mr. VANDENBERG. Then, it is the Senator's opinion, is it not, that the statement made 13 months ago still stands as current so far as the opinion of the War and Navy Departments is concerned?

Mr. McKELLAR. Entirely so. The House has so determined, and our committee, after hearing very extended testimony, so determined. I simply wish to show the Senator the character of the evidence.

Mr. WHITE. Mr. President, will the Senator again yield?

Mr. McKELLAR. I yield.

Mr. WHITE. I call to the attention of the Senator from Tennessee as well as the Senator from Michigan that these views of the Chiefs of Staff, of Admiral Leahy, and of the Secretaries of War and Navy, were transmitted to the President only in September of 1943.

Mr. McKELLAR. That is entirely correct.

Mr. President, I asked Mr. Fly to give me the instances in which he could help the Army and the Navy. I asked him why the private radio companies could not give all the information necessary. Everyday we read in the newspapers information furnished by them. The newspapers publish what the private radio companies transmit from all over the world. The Army permits the publication of only what it wants published; and what it wants published is released. I asked Chairman Fly why we should have another service. He said his service was fuller and more complete. I asked him if he would give me an illustration of the fuller and more complete service. I shall read what I asked him and what his replies were:

Senator McKELLAR. We are at war, and we want to show some substantial contribution to winning the war. You talk about Hitler's speeches, and some of these other speeches. That information is not worth a tinker's hurray. That is all given out for the purposes of getting as wide circulation as possible. It is all printed and the radio carries it. So why duplicate things in that way?

Mr. FLY. Let me say there is really no duplication of even that simple work, in the sense that anyone gets those speeches completely. For example, you take Hitler's speech.

This is the argument in favor of carrying on this service:

The newspapers generally come out promptly with what purports to be quotations and comments on Hitler's speeches; but almost invariably they are not only partial excerpts, but they are inaccurate in the various quotations they give—and the most responsible newspapers have those inaccuracies. The American Government wants Hitler's speech, and wants it accurately.

Senator McKELLAR. I don't see how it makes a particle of difference to the American Government what Mr. Hitler says. We are fighting Mr. Hitler and we are going to lick him. What he says or doesn't say is a matter of very small interest in the United States.



Dr. LEIGH. The main interest, I would say, aside from the text of the speech, has to do with changes in Hitler's line, and that is what the Office of War Information wants, being engaged in propaganda all the time. What they want to know is what the other side is saying.

Senator McKELLAR. We would know that if there were no radio service.

Dr. LEIGH. Yes; in part, but we are set up to do the complete job.

Senator McKELLAR. So what good does it do? We have radio concerns in this country who can furnish that by radio. We have the telegraph and other agencies that give it in the newspapers. We have gotten used to that. This is a semiprivate thing, sent to certain governmental agencies that may or may not be reading it.

Mr. FLY. I think, Senator, the regular press and radio do not give one-fourth of 1 percent of this material.

Senator McKELLAR. If they don't give one-fourth of 1 percent of it, it must be as big as all the world.

Mr. FLY. It is. It runs to a couple of million words a day. They don't scratch the surface on it.

Senator McKELLAR. I was just wondering if you could give us one subject that was of benefit to our Government by reason of your fuller reports of that which the other radio companies get and distribute.

Dr. LEIGH. We are doing what? We are doing what the Military Intelligence, what the State Department, want us to do. For just one thing, there is the request for biographical data on the Japanese Army and Navy personnel, as something they have asked us for. No newspaper would think of getting that.

Senator McKELLAR. What good would that do? Suppose you have the fullest data as to Hirohito himself, or Tojo, or any other man; what good would it do?

Finally they got around to saying that they had given a fuller detail as to what Hitler had said in a speech, evidently for the purpose of having it repeated in America, and what Ramirez, of Argentina, I believe, had said for the same purpose. How it can benefit the American people to have more propaganda provided for them is simply a mystery to me; I cannot understand it. I do not think the committee understood it. It was for that reason, among other reasons, that the committee reported as it did.

My good friend the senior Senator from Wisconsin [Mr. LA FOLLETTE] said that no other activity of government had this responsibility, and that we would have to place it in the hands of some other agency or activity of government. Mr. President, the Senator from Wisconsin is mistaken about that. That responsibility is already in the hands of the Army and the Navy, the War Department and the Navy Department. As I have said, they already have a complete system which is up to date, modern, and the last word in radio, in radio monitoring, and in radio intelligence; and this work on the part of the Federal Communications Commission is declared by the Army and the Navy to be antiquated to some extent, and to be not useful to them in any event.

Under those circumstances, Mr. President, why should we appropriate this money to enable the Commission to maintain at work a large force to pro-

vide a service which the Army and the Navy do not want? The Army and the Navy say it is their work and their responsibility, and we know that to be so. Under such circumstances, why should we undertake to put it in the hands of a civilian commission?

Mr. President, it is simply plain, good, hard, common sense to ask why we should spend all this money for a service which the Army and the Navy not only admitted but declared to be useful only if the Army and the Navy want it, and when there has been no evidence that the Army and the Navy want it. Why should we insist on providing it regardless of whether the Army and the Navy want it, when they declare it is an interference with the work they already are doing? It seems to me that it would be sheer nonsense to recommend an appropriation for that purpose.

Mr. VANDENBERG rose.

Mr. McKELLAR. I yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I come back to my question, for I think the whole matter, instead of taking 3 hours, could be settled in 3 minutes on the basis of the single question whether the Army and the Navy, the War Department and the Navy Department, would say today what they said 13 months ago. I shall vote with the Senator on the theory that he is correct in believing that they have not changed their minds. If they have changed their minds they can come in within the next 90 days and have a deficiency appropriation with my approval. The sole question is, Do they still hold today the opinion they asserted 13 months ago?

Mr. McKELLAR. Mr. President, they have not asserted any other opinion, and their opinion was very positively asserted at that time. Since that time they have built up one of the best services in the world. I think there can be no doubt that they still hold that opinion.

I wish to say to my distinguished friend the Senator from Michigan, whom I admire very extravagantly, that I have not taken anything like 3 hours. I have taken only approximately 15 minutes; and I am afraid I have now taken more time than the matter deserves, because it is contended by some that none of this appropriation should be made. In the committee we cut it down. We did so because when we cut off the funds for a million and a half dollars' worth of work, we realized that there should be some lessening of the personnel of the authority or agency. For that reason we cut out \$300,000 from the \$4,491,000. I think that is a very small amount by which to reduce the appropriation because of the lessening of the responsibilities and work the Commission will have.

Mr. President, I very much hope that all Senators will vote against the amendment, and will let the matter be thus settled. I know it is in the interest of the people of America. I know it is in the interest of the Army and the Navy and of all other agencies involved in our military effort.

Mr. WHITE. Mr. President, I wish to say a brief word about this situation. I

wish to let it be known, first of all, that I shall vote against the amendment of the Senator from New York [Mr. MEAD] and shall vote to sustain the committee, which has brought the result of its study and deliberations before the Senate.

The amendment is a single amendment, but it deals with four subject matters. First, it undertakes to increase by \$209,000 the amount to which the Senate committee reduced the appropriation of the House for certain purposes. I think the action of the committee in reducing that appropriation by that amount is wholly justified. We had previously eliminated from the bill the provision for approximately seven passenger-carrying automobiles, the expense of which would come out of the \$209,000.

Mr. McKELLAR. We eliminated 20 passenger cars.

Mr. WHITE. I think that was in a later provision.

Mr. McKELLAR. No. It is on page 12—"not to exceed 20 passenger-carrying automobiles." What they could be used for I do not know.

Mr. WHITE. I was referring to the item on page 11, line 18.

Mr. McKELLAR. This item is on page 12.

Mr. WHITE. The item on page 11 says "purchase (not to exceed seven)" passenger-carrying vehicles. The Senate committee cut that out of the House provision, as I understand; but it is relatively unimportant.

Mr. McKELLAR. There is another provision on the next page, for 20 more.

Mr. WHITE. I will come to that in a moment.

So we reduced the appropriation by whatever seven passenger automobiles would cost. It is to be borne in mind that notwithstanding this reduction of \$209,000, the Commission is being given the amount to which it is currently entitled under a previous act of Congress.

So with the purchase and maintenance of seven automobiles eliminated, and with the certainty that the Senate provision gives the Commission the same amount which it currently has, I feel compelled to support the action of the Appropriations Committee in reducing the appropriation.

The second particular reduction is the \$300,000 item. Here again we confront very much the same situation. Twenty passenger-carrying automobiles, the purchase of which had been authorized by the House language, have been eliminated from the bill. That certainly accounts for a substantial part of the \$300,000 by which the committee reduced the appropriation.

Beyond that is the firm belief on the part of the committee that economies in personnel and in other particulars can be put into effect. Quite beyond the question of these two particular items, I think the great motivating force upon the committee was its conviction that it faces a stern obligation to exercise every possible economy if the fiscal affairs of this Nation are to be kept upon a sound basis. I know how easy it is for departments to ask for money, and I know how difficult it is to raise the money by the processes of taxation, and how

unfortunate it is to raise it by means of borrowing. So what the committee has done with respect to these first two items is a challenge to the Senate to stand by its Appropriations Committee in its effort to force governmental bureaus to effect economies. It sometimes seems that governmental agencies entirely lose sight of the cumulative effects of resistance to appropriation cuts, when spread over the entire organization of the Government. So I ask Senators to support the committee in this small effort in behalf of economy.

There are two other items which have been discussed at some length. I wish to refer to them briefly. There is a provision in the House language, in which the Senate committee has concurred, for a reduction by \$500,000 of the amount provided for the Foreign Broadcast Intelligence Service. There is a reduction of \$1,000,000 made by the House, in which the Senate committee has concurred, with respect to the other activity about which we have heard so much today.

Personally I have a very substantial respect for the character of work carried on in the monitoring field. It is an activity which is necessary if radio is to be maintained at a high state of efficiency. But when the whole reduction is put into effect, the Federal Communications Commission will still have \$4,491,000 out of which the cut can be absorbed. In my opinion that is adequate for its essential services.

We must never lose sight of the fact that the Commission is rendering a service, to be sure. It is rendering a service today to ships of the sea and surface craft over the world; it is rendering a service to our airplanes of the Army and Navy; it is rendering a service to many forms of governmental transportation and communication, but it is not doing it in its own behalf. It is doing it with facilities and agencies very largely under the control of the Army and Navy.

Today the Army and Navy have broadcasting on a short-wave system of communications which reaches to every part of the world. I have a firm belief that the Army and Navy are adequately prepared to carry on their monitoring service as to all matters and things which have to do with national defense. I think for the time being we can put aside every consideration other than national defense. I firmly believe that the Army and Navy are qualified to carry on, to locate their planes which may be threatened with disaster, to locate ships, and to perform every other service in the field of monitoring which may be performed by the Federal Communications Commission.

The other subject has to do with radio broadcasting. The service which the Federal Communications Commission renders is really a listening service. It listens to probably several thousand broadcasts a day, coming from 50 or 60 political units scattered over the world. It has a force of translators, who translate all this material. It is then printed. Let me tell the Senate what use is made of it. Before I do so, I wish Senators to have in mind that what the monitors

listen to may be as much that which the alien enemy wants us to hear as what we ourselves may be interested in knowing.

What is done with all this information? Is it sent to the Army and Navy? Is it surrounded by a wall of secrecy? Not at all. Every day the Commission publishes in mimeographed form from 160,000 to 170,000 words, and that material is sent out to whom? It is sent to three or four hundred departments of the Government, and hundreds of persons within those departments. It is sent to representatives of foreign governments in the United States. It is sent to the Chief Justice of the Supreme Court. It is sent to columnists, commentators, and newspapermen throughout the country. Some of this material is civilian in character and some military. It is publicized to all America and to all the world. That is the thing which so greatly disturbs the Army and Navy. They say that they are better qualified to judge of the significance of broadcasts coming in from enemy countries or from Allied countries. They feel that when a broadcast has to do with the disposition of our troops in the field or the movement of our troops, such material should be gathered together and should be within the control of the Army and Navy, and not made a matter of public record for the possible embarrassment of our military forces.

There is no question as to where the Army and Navy stand on this question. Admiral Leahy, speaking for the Joint Chiefs of Staff, wrote a letter to the Secretary of the Navy, which has been read, in which he urged, on military grounds, that this service should be rendered by the Army and Navy, and not by the Federal Communications Commission. The Secretary of War and the Secretary of the Navy concurred in that recommendation. They said that not only did our military authorities here believe in it but that the commanders in the field concurred in it. They sent a letter to the President of the United States asking that those functions be transferred. What happened? Whom did the President consult? He did not consult the military authorities of the Government or those who are making the plans for the prosecution of this war. But he turned to that meddling organization, the Bureau of the Budget. The Bureau of the Budget advised the President of the United States as to who should have this responsibility and should carry on this service. The Bureau of the Budget prevailed over all our military authorities charged with the responsibility of conducting and winning the war. One cannot help asking the question, Has the Bureau of the Budget mapped out the war in Italy? Has the Bureau of the Budget, notwithstanding the views of our Army and Navy officials, determined when, where, and how the invasion of Europe shall be undertaken? If the Bureau of the Budget is to be substituted for the military officers of this country, then I say, God help this Government in the prosecution of the war. It is beyond me.

Mr. President, that is all that is involved in this whole situation. I want the Army and the Navy, because of their responsibilities in the prosecution of the war, to have control over all information which comes from the battlefields and areas of military activity. I want them to determine what the significance of such information may be. I want them to determine and make known what part of it may be given to the people of this country, and what part of it must remain a military secret.

Mr. President, to me that sums up the whole situation. I think the Army and the Navy, with their services scattered over the whole world, are competent to do this work. I think that in a military matter Congress should give heed to the Army and Navy officials, and should let the Bureau of the Budget concern itself with the things with which it is primarily charged.

So, Mr. President, I shall vote against the Mead amendment, and I shall vote to sustain the committee in the action which it has taken.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. MEAD] on page 13, line 1.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Radcliffe
Andrews	George	Revercomb
Austin	Gillette	Robertson
Bailey	Guffey	Russell
Ball	Hatch	Shipstead
Bankhead	Hawkes	Stewart
Barkley	Hayden	Taft
Brewster	Hill	Thomas, Idaho
Bridges	Holman	Thomas, Utah
Brooks	Johnson, Colo.	Truman
Buck	Kilgore	Tunnell
Burton	La Follette	Tydings
Bushfield	Langer	Vandenberg
Byrd	McCarran	Walsh, N. J.
Capper	McClellan	Weeks
Chandler	McFarland	Wheeler
Clark, Idaho	McKellar	Wherry
Clark, Mo.	Maybank	White
Connally	Mead	Wiley
Davis	Millikin	Willis
Downey	Murray	Wilson
Eastland	O'Mahoney	
Ellender	Overton	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from New York [Mr. MEAD], on page 13, line 1.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MEAD. Mr. President, during the course of the debate the action of the Federal Communications Commission in counter-espionage work and in locating spies and illegal radio stations outside the United States was brought to the attention of the Senate. I have before me, in an annual report submitted to the governments of the American republics, some interesting information on that very same subject. On page 86 of the report, under the heading "German espionage agents in Chile—Memorandum dated June 30, 1942, submitted by



the United States of America," there appears the following:

The existence of a clandestine radio station in Chile has been known for some time to the Federal Communications Commission of the United States Government and, through use of directional finding equipment, this station has been located in Valparaiso. Through these same tests—

That is, tests made by the Federal Communications Commission—the corresponding station has been definitely located in Hamburg in Germany.

Mr. President, on page 95 of the same report, I read the following:

At the request of the Chilean Government, the Federal Communications Commission of the United States dispatched an agent with the necessary equipment for definitely determining the location of PYL. This technician has made several tests which have indicated rather conclusively that at the present time one of the transmitters over which the information is being sent to Germany is located in the house of Guillermo Zeller, Avenida Alemana 5508, Cerro Alegre, Valparaiso. It is known that Zeller is an expert radio technician and a licensed amateur operator. He has in his possession a modern transmitting set absolutely capable of communicating with Germany, and it has been observed that the antennas used by him are specially adapted and directed for such transmission. Observations have further revealed that Zeller has often been seen in the company of Hans Blume, heretofore mentioned in this memorandum.

Mr. President, in the same report submitted to the governments of the American republics I read the following:

After the sudden arrest of most of the German agents operating in Brazil during the month of March the intercepts indicated that Germany was very concerned over the safety of its agents, as well as assuring itself of a possible means of having radio communication with its agents in Chile. To afford the latter, the intercepts indicate that the PYL organization has employed the service of another transmitting station which was to be operated by an individual referred to as "Pedro." PYL told Germany that "Pedro" would be ready for transmission on March 11, 1941. A report was received by the Embassy from the United States Government that a new clandestine station had been heard operating in Chile on March 11 and that directional findings by the Federal Communications Commission indicated that this station was located in or around Antofagasta. It is believed that this station heard in the United States is the new station employed by the PYL organization and is being operated by this individual referred to as "Pedro."

Mr. President, as the able Senator from Wisconsin pointed out, there are two important services of the Federal Communications Commission involved in this discussion. One of them relates to its Foreign Broadcast Intelligence Service, whose work is primarily that of monitoring. The other is its Radio Intelligence Division, and the nature of its work is primarily that of policing the airwaves. There exists no duplication. The military has its own military functions to perform. The military does not monitor the speeches and propaganda emanating from Nazi countries. The military is not held responsible by statute for either the protection of broadcasting in this country or for compel-

ling broadcasters in this country to operate within the law.

If we are going to set up these services in the military, which we would have to do if there exists no duplication, then we ought to set them up, and we ought to provide an appropriation for them. If all we do is to reduce and refuse, and reduce appropriations, we eliminate and eliminate and eliminate services. I hate to contemplate the awful, the terrifying consequences as a prelude to the invasion by our forces of the continent of Europe of any action that may be taken which has for its effect the diminution or the reduction or elimination of any services which, in my judgment, are essential.

Mr. BRIDGES. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Hampshire?

Mr. MEAD. I shall yield in a moment.

So, Mr. President, I reiterate what the able Senator from Wisconsin has already well said that there is no duplication; there are two essential services involved; one has to do with the monitoring of foreign broadcasts emanating from civilian agencies, not military agencies, abroad; and the other has to do, as the able Senator from Wisconsin well said, with the enforcement of the statute and policing the airways of this country and those in the Territories of this country.

Now I yield to the Senator from New Hampshire.

Mr. BRIDGES. Would the Senator put his judgment and the judgment of Mr. Fly ahead of that of the Army and Navy? That is the issue.

Mr. MEAD. Is that the question in its entirety?

Mr. BRIDGES. That is the first question.

Mr. MEAD. That question was asked before.

Mr. BRIDGES. But it has not been answered.

Mr. MEAD. That question was answered before, Mr. President, I think to the satisfaction of many Members of the Senate. But to answer it again, let me say, Mr. President, as was said by the able Senator from Wisconsin, there is not a scintilla of evidence in the report or in the hearings of the House committee or the Senate committee to indicate that there is any objection to the services which are being rendered or that the services which are being rendered are not eminently satisfactory to all the agencies of the Government receiving and depending upon such services.

With reference to the attitude of the Army and Navy, there is a rich amount of evidence from military leaders, from the Office of Strategic Services, from Signal Corps officers, from the commanding general of the Hawaiian division, commending the services of the Federal Communications Commission. There is over and above that, to offset what the opposition may say in its reliance upon the letter of the Secretary of War and the Secretary of the Navy, the letter of the Commander in Chief, the President of the United States. While those who oppose

the amendment may offer as support the argument, the letter from the Secretary of War and the Secretary of the Navy, those of us who are on the other side of this argument believe in fortifying the Federal Communications Commission with all the appropriations they may reasonably need. I say the letter of the President is, in my judgment, an unanswerable argument that a system has been set up and a board has been created whereby to the very maximum all the services can be dispensed to each of the agencies which require such services.

Mr. BRIDGES. Mr. President, will the Senator again yield?

Mr. MEAD. I am glad to yield.

Mr. BRIDGES. Can the Senator produce a letter or any communication from the Secretary of War, the Secretary of the Navy, the Combined Chiefs of Staff, from Admiral King or General Marshall, asking for these services or asking to have the Federal Communications Commission do this work? The Senator has dodged around this issue and so has every other proponent of the amendment.

Mr. MEAD. The Senator has asked for a great many letters.

Mr. BRIDGES. And I have not received them.

Mr. MEAD. As I said before, the Senator has asked for a great many letters and for a great deal of evidence but the Senator to this moment has not taken on himself the responsibility of presenting any evidence. I have submitted one letter after another, but the Senator continues to ask for more and more letters without feeling in the least the obligation that he ought to present something of a constructive nature before this debate is concluded.

Mr. BREWSTER. Mr. President, I shall not undertake to resolve the conflict of opinion, but I do think the record should be made clear, since there is a certain implication in the remarks of my colleague from New York that we are not desirous of intelligence in the conduct of our services. I am sure that, so far as this side of the aisle is concerned, that is what we have been very earnestly desiring very much more of for a long time. Anything that would insure our getting more intelligence into the conduct of the operations of the entire Government would be entirely in accord with our views.

As to the specific issue before the Senate, I cannot furnish the evidence for which the Senator from New York asks, but I think it appropriate to call attention, before we conclude, to one additional fact.

Mr. MEAD. Will my distinguished colleague yield?

Mr. BREWSTER. I yield.

Mr. MEAD. I am not asking for the submission of any letters or added information. That request came after I had submitted, in the debate last week, all the evidence and all the letters which I thought ample to support my argument. So I am not asking for any additional information.

Mr. BREWSTER. I thought there was a suggestion that the Senator was making such a request. I merely call attention to the fact that there is a conflict of opinion, and that this body has the benefit of the opinion in this matter of the one who was selected by the President of the United States as presumably the most competent man in the field of communications, namely, my own colleague, the senior Senator from the State of Maine [Mr. WHITE], who was chosen by the President to be chairman of the last international radio delegation from America to the world conference held at Cairo a few years ago. Recognizing the long service in this field of my colleague, the senior Senator from Maine, on the committees of the House and the Senate dealing with this matter from its inception, he was chosen for this distinction by the President of the United States. With all deference to the President, and the very great responsibilities he is obliged to carry, I am somewhat more inclined to accept the conclusion of the senior Senator from Maine as to whether or not this service may be adequately performed with the appropriations provided, with due regard to all the responsibilities of the war, than for the opinion of the President, on the basis of an opinion from the Bureau of the Budget, in conflict, apparently, with his own military and naval advisers. At any rate, I shall resolve my action on the basis of the opinion of my colleague, believing that it is as competent and as disinterested as any we should be able to secure.

Mr. BARKLEY. Mr. President, I do not intend to delay the Senate on this question, but I wish to utter just a brief word as to my position in regard to the amendment offered by the Senator from New York. The Senator from New York and the Senator from Wisconsin have gone into the whole question in detail; they have covered it exhaustively, from the standpoint of those who favor the amendment, and it would be merely a repetition if I were to attempt to cover that field, and I shall not do so.

I merely wish to say that it seems to me unfortunate that the affairs of the Federal Communications Commission have gotten into the posture of controversy and criticism back and forth on account of matters which have nothing to do with the pending amendment or the pending appropriation, and nothing to do with the war, as a matter of fact. I do not know to what extent the long-existing controversy between the Federal Communications Commission and a portion of the Congress had anything to do with the action of the House in reducing the appropriation by a million and a half dollars. It may be that it had nothing to do with it, and was not thought of in that connection. Nevertheless, it is difficult to dissociate the two things altogether, in view of what seems to me to be the drastic cut made by the House, and the even more drastic cut made by the Senate committee.

I shall not go into the question of the controversy among the services as to the desirability of having the War Department and the Navy Department take

over the functions of the Federal Communications Commission, so far as concerns its intelligence divisions, either in Europe or in the United States. The Secretary of War and the Secretary of the Navy recommended, in a letter which they wrote to the President, that there be a certain transfer of authority in matters of investigation pertaining to the war, from the Federal Communications Commission to the War and Navy Departments. After due consideration and long preparation, and after what I understand was a thorough investigation from all sides, the President felt that it was wise not to make the transfer, and said so in a letter which he transmitted to the heads of the two Departments.

It may be that there are Senators and Members of the other body of the Congress who prefer to take the judgment of the Secretary of War and the Secretary of the Navy to that of the President, but they certainly cannot indulge in that preference on the ground that either one of these officers is a high military or naval officer, any more than the President is. Neither of them is a military or naval officer.

Mr. BRIDGES. Will the Senator yield?

Mr. BARKLEY. I do not wish to take much time, but I yield.

Mr. BRIDGES. Would the Senator consider Admiral Leahy a military or naval authority?

Mr. BARKLEY. Yes; I am coming to that, if the Senator will permit me. Of course Admiral Leahy is a very high-ranking naval officer, enjoys the confidence of the country, and has had an outstanding record as a naval authority. But from the standpoint of the command of the Navy, the President of the United States outranks Admiral Leahy, of course.

Mr. BRIDGES. Will the Senator yield further?

Mr. BARKLEY. I think the President's judgment in that matter is entitled to the same consideration to which it would be entitled in any other matter where the decision must be made by the Commander in Chief of the Army and Navy.

Mr. BRIDGES. Does the Senator believe that in the Combined Chiefs of Staff of the various Allied countries which are waging this war we have able men, possibly the outstanding men among the United Nations?

Mr. BARKLEY. I presume they are the best naval and military men available in the various nations.

Mr. BRIDGES. Then the Senator puts the word of Franklin D. Roosevelt, as a military leader and naval leader, ahead of the combined judgment of the Combined Chiefs of Staff?

Mr. BARKLEY. The transfer of these facilities from the Federal Communications Commission to the War and Navy Departments of the United States has nothing to do with interallied command. It is purely a matter for the United States, and certainly the President of the United States, as Commander in Chief of the Army and Navy, stands higher in authority and in responsibility, under

the Constitution, than even Admiral Leahy, or the Secretary of War, or the Secretary of the Navy.

Mr. President, in view of all that has been said about this matter it seems to me to be unwise to reduce the appropriation. I myself do not propose to take the responsibility of voting to reduce it in view of all the situations which exist around the world which require the most meticulous information to be obtained, even if it is expensive, as the Senator from Wisconsin said a while ago. I am unwilling to weigh dollars against the lives of our men and women in the service, no matter whether it is a million and a half or two million dollars, the total reduction now carried in the bill.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield, but I must catch a train in a few minutes.

Mr. BREWSTER. This will take only a minute. Do I understand that we are being urged now to support the proposal upon the basis of the fact that it is the opinion of the President of the United States which is involved?

Mr. BARKLEY. No; I am not urging the Senator—

Mr. BREWSTER. The Senator does not urge support for the proposal on that ground?

Mr. BARKLEY. I am not urging the Senator from Maine or any other Senator to vote for the amendment offered by the Senator from New York on the ground that it is the judgment of the President that the activity ought not to be transferred. That is his judgment. I respect that judgment.

Mr. BREWSTER. The Senator does not always follow that judgment. [Laughter.]

Mr. BARKLEY. Well, I follow it much more frequently than does the Senator from Maine. I hope the Senator from Maine accords to me the right to differ even from the President of the United States whenever I feel that it is my duty to do so.

Mr. BREWSTER. And I am sure the Senator from Kentucky will accord us the right to do so.

Mr. BARKLEY. In this particular instance my judgment coincides with that of the President, and I am just as happy or more happy to say so, than I am to say so when I disagree with him.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. BARKLEY. For only one question.

Mr. BRIDGES. Very well. Am I to understand the Senator from Kentucky to infer that those who oppose the amendment are placing dollars ahead of lives?

Mr. BARKLEY. No; I am not saying that at all. But I say that I am not willing to economize even to the extent of \$2,000,000 if by doing so I think I am jeopardizing the lives of any of our men anywhere in the world. The Senator may have his own judgment about that. I know how the Senator from New Hampshire is going to vote. I know he is going to vote to reduce the appropriation. He is going to vote against the amend-



ment offered by the Senator from New York. Nothing I can say would change the Senator's opinion on that matter, and if I undertook to persuade him about any other matter I have great doubt whether I could do so.

Mr. President, that is all I wish to say, but I am going to vote in favor of the amendment offered by the Senator from New York.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. MEAD], on page 13, line 1, in lieu of the committee amendment to insert "\$6,146,000." The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER], who, I understand, if present, would vote "yea." I transfer my pair to the senior Senator from Nebraska [Mr. BUTLER], who, I understand, would vote "nay" if present. I am therefore free to vote, and I vote "nay."

Mr. MEAD (when Mr. WAGNER's name was called). My colleague the senior Senator from New York, is necessarily absent. If he were present, he would vote "yea." The senior Senator from New York has a general pair with the Senator from Kansas [Mr. REED].

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Indiana [Mr. JACKSON], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are absent on official business. I am advised that if present and voting, the Senator from Indiana and the Senator from Washington would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mr. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are detained on public business. I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] would vote "yea."

The Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent. I am advised that if present and voting, the Senator from Washington [Mr. BONE] and the

Senator from Kentucky [Mr. CHANDLER] would vote "yea."

The Senator from Arizona [Mr. HAYDEN], who is detained in a Government department, has a general pair with the Senator from North Dakota [Mr. NYE]. I am not advised how either Senator would vote if present.

The Senator from West Virginia [Mr. KILGORE] is detained in one of the Government departments on matters pertaining to the State of West Virginia. I am advised that if present and voting, he would vote "yea."

The Senator from Arkansas [Mr. McCLELLAN] has been called from the Senate to attend a conference on matters pertaining to the State of Arkansas. I am advised that if present and voting, he would vote "nay."

Mr. WHERRY. The Senator from Nebraska [Mr. BUTLER] is necessarily absent. I am advised that if present he would vote "nay."

The Senator from Oregon [Mr. CORDON] is paired on this question with the Senator from Florida [Mr. PEPPER]. I am advised that if present the Senator from Oregon would vote "nay," and the Senator from Florida would vote "yea."

The Senator from South Dakota [Mr. GURNEY] is paired on this question with the Senator from Rhode Island [Mr. GREEN]. I am advised that if present the Senator from South Dakota would vote "nay," and the Senator from Rhode Island would vote "yea."

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters. The Senator from Oklahoma [Mr. MOORE] is necessarily absent.

The result was announced—yeas 22, nays 38, as follows:

#### YEAS—22

Andrews	Hill	O'Mahoney
Barkley	Johnson, Colo.	Radcliffe
Capper	La Follette	Shipstead
Clark, Idaho	Langer	Thomas, Utah
Downey	McFarland	Tunnell
Ellender	Maybank	Wheeler
Guffey	Mead	
Hatch	Murray	

#### NAYS—38

Aiken	Eastland	Stewart
Austin	Ferguson	Taft
Ball	George	Thomas, Idaho
Bankhead	Gillette	Tydings
Brewster	Hawkes	Vandenberg
Bridges	Holman	Walsh, N. J.
Brooks	McCarran	Weeks
Buck	McKellar	Wherry
Burton	Millikin	White
Bushfield	Overton	Wiley
Byrd	Revercomb	Willis
Clark, Mo.	Robertson	Wilson
Davis	Russell	

#### NOT VOTING—36

Bailey	Green	O'Daniel
Bilbo	Gurney	Pepper
Bone	Hayden	Reed
Butler	Jackson	Reynolds
Caraway	Johnson, Calif.	Scrugham
Chandler	Kilgore	Smith
Chavez	Lucas	Thomas, Okla.
Connally	McClellan	Tobey
Cordon	Maloney	Truman
Danaher	Moore	Wagner
Gerry	Murdock	Wallgren
Glass	Nye	Walsh, Mass.

So Mr. MEAD's amendment to the committee amendment on page 13, line 1, was rejected.

Mr. McKELLAR. Mr. President, I move that the vote which has just been taken be reconsidered.

Mr. McCARRAN. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. BARKLEY. Mr. President, I think it is generally agreeable that the Senate suspend its session at this point until tomorrow.

Mr. McCARRAN. Mr. President, will the Chair announce the action on the motion to lay on the table.

The PRESIDING OFFICER. Without objection, the motion was agreed to.

Mr. MEAD. Mr. President, I have another amendment to offer. I believe I am correct in saying that as a result of the debate, at least in my opinion, this amendment will be more generally acceptable. Therefore, I shall ask the acting chairman of the Appropriations Committee if he will consider taking the amendment to conference. The amendment would restore item No. 2, providing \$500,000 for the Foreign Broadcast Intelligence Service, which merely performs the work of monitoring foreign broadcasts. I think the Service is a very important one. I should like to know whether the acting chairman of the Appropriations Committee will consider taking the amendment to conference.

The PRESIDING OFFICER. The amendment offered by the Senator from New York is not in order until the committee amendment at the top of page 13 is disposed of.

Mr. MEAD. Then I shall ask that my amendment be withheld until the other committee amendment is disposed of.

The PRESIDING OFFICER. The amendment of the Senator from New York may lie on the table.

The Chair finds that in reading the amendment offered by the Senator from New York the Chair was in error, and that the amendment proposed by the Senator from New York is an amendment to the committee amendment at the top of page 13, and is in order.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. What is the status of the amendment on page 12, line 2?

The PRESIDING OFFICER. It is still open.

Mr. MEAD. Mr. President, action on it, if I may answer the question of the majority leader, was postponed until the disposition of the amendment on page 13, line 1.

Since my amendment is in order, I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

Mr. McKELLAR. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McKELLAR. Has the amendment on page 13 been agreed to?

Mr. BARKLEY. I understand that it has not.

The PRESIDING OFFICER. The Chair will state that the amendment to the committee amendment, on page 13, was rejected, and the committee amendment has never been agreed to.

Mr. McKELLAR. I understood the Chair to rule a while ago—

The PRESIDING OFFICER. The Chair's announcement was with respect to the amendment of the Senator from New York to the committee amendment. The amendment to the committee amendment has been rejected, but the committee amendment has not been agreed to.

Mr. McKELLAR. Very well.

The PRESIDING OFFICER. The amendment of the Senator from New York to the committee amendment at the top of page 13 will be stated.

The CHIEF CLERK. On page 13, line 1, it is proposed to strike out "\$4,191,143" and insert "\$4,691,143."

Mr. MEAD. Mr. President, my amendment to the committee amendment is for the purpose of restoring the \$500,000 cut made by the House in the appropriation for the Foreign Broadcast Intelligence Service, only. I ask for a vote on my amendment to the committee amendment.

Mr. McKELLAR. Mr. President, I wish to say to the Senate that I hope the amendment to the committee amendment will be rejected. We have spent all afternoon on another amendment which provided for a larger amount. The pending amendment to the committee amendment affects a smaller amount. I certainly hope the amendment to the committee amendment will be rejected. I ask for the yeas and nays on the question of agreeing to the amendment to the committee amendment.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. DAVIS. Announcing again my general pair with the junior Senator from Kentucky [Mr. CHANDLER], I transfer that pair to the senior Senator from Nebraska [Mr. BUTLER], who I am advised would, if present, vote "nay." I am, therefore, at liberty to vote. I vote "nay."

Mr. MEAD. My colleague the senior Senator from New York [Mr. WAGNER] is necessarily absent. If present, he would vote "yea." He has a general pair with the Senator from Kansas [Mr. REED].

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from South Carolina [Mr. SMITH] are absent from the Senate because of illness.

The Senator from Georgia [Mr. GEORGE], the Senator from Iowa [Mr. GILLETTE], and the Senator from Montana [Mr. MURRAY] are detained in committee meetings. I am advised that if present and voting, the Senator from Montana [Mr. MURRAY] would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from

Texas [Mr. CONNALLY], the Senator from Rhode Island [Mr. GREEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Connecticut [Mr. MALONEY], the Senator from Florida [Mr. PEPPER], and the Senator from Massachusetts [Mr. WALSH] are detained on public business. I am advised that if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], and the Senator from Florida [Mr. PEPPER] would vote "yea."

The Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent. I am advised that if present and voting, the Senator from Washington [Mr. BONE], and the Senator from Kentucky [Mr. CHANDLER] would vote "yea."

The Senator from Indiana [Mr. JACKSON], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are absent on official business. I am advised that if present and voting, the Senator from Indiana [Mr. JACKSON] and the Senator from Washington [Mr. WALLGREN] would vote "yea."

The Senator from Arizona [Mr. HAYDEN], who is detained in one of the Government departments, has a general pair with the Senator from North Dakota [Mr. NYE]. I am not advised how either Senator would vote if present and voting.

Mr. WHERRY. The Senator from Nebraska [Mr. BUTLER] is necessarily absent. I am advised that if present he would vote "nay."

The Senator from Oregon [Mr. CORDON] is paired on this question with the Senator from Florida [Mr. PEPPER]. I am advised that if present the Senator from Oregon would vote "nay," and the Senator from Florida would vote "yea."

The Senator from South Dakota [Mr. GURNEY] is paired on this question with the Senator from Rhode Island [Mr. GREEN]. I am advised that if present the Senator from South Dakota would vote "nay," and the Senator from Rhode Island would vote "yea."

The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Arizona [Mr. HAYDEN].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters. The Senator from Oklahoma [Mr. MOORE] is necessarily absent.

The result was announced—yeas 24, nays 32, as follows:

## YEAS—24

Alken	Ellender	Maybank
Andrews	Guffey	Mead
Austin	Hatch	Radcliffe
Ball	Hill	Shipstead
Barkley	Kilgore	Thomas, Utah
Burton	La Follette	Tunnell
Clark, Idaho	Langer	Wheeler
Downey	McFarland	Wiley

## NAYS—32

Bankhead	Hawkes	Taft
Brewster	Holman	Thomas, Idaho
Bridges	McCarran	Tydings
Brooks	McClellan	Vandenberg
Buck	McKellar	Walsh, N. J.
Bushfield	Millikin	Weeks
Byrd	Overton	Wherry
Clark, Mo.	Revercomb	White
Davis	Robertson	Willis
Eastland	Russell	Wilson
Ferguson	Stewart	

## NOT VOTING—40

Bailey	Glass	O'Mahoney
Bilbo	Green	Pepper
Bone	Gurney	Reed
Butler	Hayden	Reynolds
Capper	Jackson	Scrugham
Caraway	Johnson, Calif.	Smith
Chandler	Johnson, Colo.	Thomas, Okla.
Chavez	Lucas	Tobey
Connally	Maloney	Truman
Cordon	Moore	Wagner
Danaher	Murdock	Wallgren
George	Murray	Walsh, Mass.
Gerry	Nye	
Gillette	O'Daniel	

So Mr. MEAD's amendment to the committee amendment was rejected.

The VICE PRESIDENT. The question recurs on agreeing to the committee amendment at the top of page 13.

The amendment was agreed to.

The VICE PRESIDENT. The question now recurs on agreeing to the committee amendment on page 12, line 2.

Mr. MEAD. Mr. President, I offer another amendment which I send to the desk and ask to have stated. I realize that the Senate has already been very patient with me, and I appreciate the futility of offering successive amendments. This amendment would merely give the conferees an opportunity to restore \$209,000 to the regular appropriation, which might be applied to emergency or unspecified activities. In view of the fact that such activities may be needed with the forthcoming invasion, I hope the acting chairman of the committee will take it to conference. If he will not, I shall not ask for a yea-and-nay vote.

Mr. McKELLAR. Mr. President, following the directions of the committee, I am obliged to object to the amendment. I ask that it be rejected.

The VICE PRESIDENT. The amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. On page 12, line 2, after the word "amended", in lieu of the committee amendment to strike out "\$2,209,000" and insert "\$2,000,000", it is proposed to insert "\$2,209,000."

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 12, line 2. The purpose of the Senator from New York would be served by disagreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MEAD. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. On page 13, line 1, in lieu of the committee amendment, it is proposed to insert "\$4,491,143."



The VICE PRESIDENT. The Senator's amendment is the same as the House text.

Mr. McKELLAR. Mr. President, this question has already been voted upon.

The VICE PRESIDENT. Is there objection to reconsideration of the committee amendment on page 13, line 1?

Mr. RUSSELL. Mr. President, has not that amendment already been reconsidered on one occasion?

The VICE PRESIDENT. The committee amendment was agreed to.

Mr. RUSSELL. I object to its reconsideration.

Mr. MEAD. Mr. President, it occurs to me that that question was disposed of. So far as I am concerned, I am satisfied.

The VICE PRESIDENT. Does the Senator from New York wish to press his second amendment?

Mr. MEAD. No. I think the question was thoroughly disposed of.

**SOCIAL-SECURITY PAY-ROLL TAXES—LETTER FROM SENATOR VANDENBERG TO THE EDITOR OF THE WASHINGTON STAR**

Mr. VANDENBERG. Mr. President, the statement which I made a few days ago regarding social-security pay-roll taxes has been misinterpreted in some quarters. In order to make the record entirely clear, I ask unanimous consent to have printed in the Record at this point as a part of my remarks a letter which I have written to the editor of the Washington Star on this subject.

There being no objection, the letter was ordered to be printed in the Record, as follows:

MARCH 20, 1944.

EDITOR, THE STAR,  
Washington, D. C.

DEAR SIR: To keep the record straight, I respectfully make a correction in one of your Sunday feature stories regarding social security. In discussing my persistent 3-year effort to keep pay-roll taxes at their present 1-percent level (on employers and employees) it is stated that I have now reversed my position taken as recently as last February when I was successfully arguing "that it's ridiculous to pile up a huge fund in the Treasury when Secretary Morgenthau himself has estimated that a safe margin to have on hand is three times the amount that will be needed at any time during the next 5 years."

I have not reversed my position. Your writer's mistake, however, quite understandably flows from another recent news story which may have unwittingly invited this erroneous conclusion. At that time I was asked whether the social-security law should be amended to make the present 1-percent tax permanent, thus wiping out for keeps the progressive pay-roll tax increase contemplated by the statute for future years. I replied that the present 1-percent rate cannot be permanent because the time will come when heavily accumulating benefit payments will then require the statutory increases to take effect. This has been construed in several quarters, including your excellent Sunday feature story, as meaning that I believe we have already reached the point where increased benefit payments already require increased pay-roll taxes—although I successfully argued to the contrary in Congress within the last few weeks and have not in any degree changed my mind.

My position is and will continue to be precisely as heretofore urged in the Congress.

I stand for whatever social-security pay-roll taxes are necessary to maintain adequate reserves for the old-age and survivors benefit payments. I would not for an instant deprive these reserves of 1 essential penny. On the other hand, I would not burden 40,000,000 workers and all of their employers with any needless increase in pay-roll taxes to build up needless reserves. The yardstick for measuring the adequacy of these reserves has been laid down by Secretary of the Treasury Morgenthau himself—namely, a reserve which is 3 times the highest drain contemplated in 5 subsequent years. The reserve at present is at least twice adequate under this rule. Therefore, I have opposed a 100-percent increase in pay-roll taxes in 1944. By the same token, whenever the reserve in future years does become inadequate, I shall, for identically the same reason, favor an increase in pay-roll taxes. Only subsequent events in subsequent years can indicate when this will be.

In a word, I have not reversed my position. On the contrary, I stand squarely upon it as always. You will understand that I am not writing in any spirit of complaint. I fully realize how the error occurred. I simply deem it vitally important to keep the record unassailably straight.

Cordially and faithfully,

A. H. VANDENBERG.

#### EXECUTIVE SESSION

Mr. McKELLAR. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Henry N. Graven, of Iowa, to be United States district judge for the northern district of Iowa, vice George C. Scott, retired;

John J. Morris, Jr., of Delaware, to be United States attorney for the district of Delaware, vice Charles Stewart Lynch, term expired;

Harry H. Holt, Jr., of Virginia, to be United States attorney for the eastern district of Virginia, vice Sterling Hutcheson;

Raymond E. Thomason, of Alabama, to be United States marshal for the northern district of Alabama. (Mr. Thomason is now serving in this office under an appointment which expired March 2, 1944);

Roulhac Gewin, of Alabama, to be United States marshal for the southern district of Alabama. (Mr. Gewin is now serving in this office under an appointment which expires March 29, 1944); and

Robert W. Rabb, of Pennsylvania, to be United States marshal for the middle district of Pennsylvania. (Mr. Rabb is now serving in this office under an appointment which expired July 25, 1943.)

By Mr. REYNOLDS, from the Committee on Military Affairs:

Sundry officers for promotion in the Regular Army;

Sundry officers for appointment, by transfer, in the Regular Army; and

Col. Stanhope Bayne-Jones (lieutenant colonel, Medical Reserve), Army of the

United States, for temporary appointment as brigadier general in the Army of the United States, under the provisions of law.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

#### FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Foreign Service.

Mr. McKELLAR. Mr. President, I ask that the nominations in the Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Foreign Service are confirmed en bloc.

#### GEN. THOMAS HOLCOMB

Mr. BUCK. Mr. President, the nomination of Gen. Thomas Holcomb, of Delaware, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to the Union of South Africa has just been confirmed. He is a native son of my State, and his ancestors for generations were citizens of Delaware. It is a privilege to be present to witness his confirmation as Envoy Extraordinary and Minister Plenipotentiary of the United States to the Union of South Africa.

The record of General Holcomb's career is a lifetime of distinguished service as a member of the United States Marine Corps; it is a record of efficiency and valor that has reflected credit to his country and his State.

Thomas Holcomb was born in New Castle, Del., August 5, 1879. He entered the United States Marine Corps in 1900 and was promoted through grades to brigadier general. He commanded the Second Battalion, Sixth Marines, A. E. F., in 1918, and participated in the Chateau Thierry-Soissons offensives. He advanced to second in command of the Sixth Marines in the same year, and participated in St. Mihiel, Meuse-Argonne offensives.

For meritorious service and valor he holds the Navy Cross, Chevalier French Legion of Honor, Croix de Guerre with three palms, Purple Heart, Silver Star Medal with three oak-leaf clusters, and last month was awarded a Distinguished Service Medal by the Seventy-eighth Congress.

General Holcomb is the first man in the history of the Republic to acquire the rank of a four-star general in the United States Marine Corps.

As one of Delaware's representatives in this august body, it is an honor to attest to the high regard and deep esteem in which Gen. Thomas Holcomb is held by the citizens of his State. God willing, may he devote many more useful years to the service of his country.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

#### NOMINATION OF COL. STANHOPE BAYNE-JONES TO BE A BRIGADIER GENERAL IN THE ARMY OF THE UNITED STATES

Mr. TAFT. Mr. President, earlier in the day there was reported from the Committee on Military Affairs the nomination of Col. Stanhope Bayne-Jones, now a lieutenant-colonel in the Medical Reserve, to be a brigadier general in the Army of the United States. I ask unanimous consent for the immediate consideration of the nomination.

The reason I do so is that this nomination was held up for an undue length of time by an objection, which has been completely withdrawn and satisfied. There are important reasons why Colonel Bayne-Jones, who is connected with the Typhus Commission and is one of the principal aides of the Surgeon General, should receive this promotion as soon as possible.

The VICE PRESIDENT. Is there objection to the request of the Senator from Ohio?

Mr. BRIDGES. Mr. President, I was one of those who asked for more time, and I objected to confirming the nomination of Col. Stanhope Bayne-Jones to be brigadier general. The objections have now been satisfied, and I join with the Senator from Ohio in asking unanimous consent that the nomination be confirmed.

The VICE PRESIDENT. The nomination will be stated.

The legislative clerk read the nomination of Col. Stanhope Bayne-Jones to be a brigadier general in the Army of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed.

Mr. McKELLAR. I ask unanimous consent that the President be notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

#### RECESS

Mr. McKELLAR. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 21, 1944, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate March 20 (legislative day of February 7), 1944:

##### DIPLOMATIC AND FOREIGN SERVICE

Francis L. Spalding, of Massachusetts, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

##### THE JUDICIARY

##### UNITED STATES ATTORNEY

Harry O. Arend, of Alaska, to be United States attorney for division No. 4 of Alaska, vice Ralph J. Rivers, resigned.

#### DEPARTMENT OF THE INTERIOR

##### GRAZING SERVICE

Clarence L. Forsling, of Utah, to be Director of Grazing; vice Richard H. Rutledge, resigned.

##### UNITED STATES PUBLIC HEALTH SERVICE

The following-named officers for promotion in the regular corps of the United States Public Health Service:

Assistant Surgeon Harry F. White, Jr., to be passed assistant surgeon effective November 23, 1943.

Assistant Sanitary Engineer John S. Wiley, to be passed assistant sanitary engineer effective February 21, 1944.

Assistant Surgeon H. Charles Franklin, to be temporary passed assistant surgeon effective March 1, 1944.

Assistant Surgeon Robert S. McClintock, to be temporary passed assistant surgeon effective March 1, 1944.

Surgeon Erwin W. Blatter, to be temporary senior surgeon effective March 1, 1944.

Passed Assistant Surgeon William H. Stimson, to be temporary surgeon effective March 1, 1944.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 20 (legislative day of February 7), 1944:

##### FOREIGN SERVICE

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COUNTRIES PLACED OPPOSITE THEIR RESPECTIVE NAMES

Avra M. Warren; to Panama.

Leland B. Morris; to Iran.

Orme Wilson; to Haiti.

Willard L. Beaulac; to Paraguay.

Ellis O. Briggs; to the Dominican Republic.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COUNTRIES PLACED OPPOSITE THEIR RESPECTIVE NAMES

Louis G. Dreyfus, Jr.; to Iceland.

Gen. Thomas Holcomb; to the Union of South Africa.

Kenneth S. Patton; to New Zealand.

CHARGÉ D'AFFAIRES OF UNITED STATES OF AMERICA  
Rudolph E. Schoenfeld; near the Government of Luxemburg now established in London.

##### IN THE ARMY

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Col. Stanhope Bayne-Jones to be brigadier general.

##### POSTMASTERS

##### DELAWARE

Alton L. Brittingham, Lewes.

John E. Mayhew, Milford.

##### FLORIDA

S. Gary Turnley, Fort Meade.

Howard M. Daniels, Havana.

Robert Neil Durrance, Sebring.

##### KANSAS

Dale Graves, Healy.

##### LOUISIANA

Harry R. Mock, Baskin.

Lillian Causey, Bonita.

Annie M. Pyron, Collinston.

##### MAINE

Lizzie J. Chase, Mount Vernon.

Emma T. Allen, New Gloucester.

Henry G. Swett, Weld.

J. Vinal Hunnewell, Woolwich.

##### MARYLAND

John W. Hager, Damascus.

Mary K. Sharpless, Kitzmiller.

Marjorie H. Pearce, Monkton.

#### MASSACHUSETTS

Charles L. Bevans, Harwich Port.  
Carl O. F. Swanson, Rehoboth.

#### MICHIGAN

N. Kenneth Zeigler, Brimley.  
Harry Keithan, Ceresco.  
Elmer Brogan, Emmett.  
Reatha M. Linke, Filer City.  
Charles B. Jenkins, Fostoria.  
Emma R. A. Stevenson, Gaines.  
Guy H. Fowler, Goodells.  
Stella B. Paul, Gulliver.  
Ernest Belville, Mesick.

#### MISSOURI

Etha M. Word, Amoret.  
Calvin Clay, Augusta.  
Hazel Quick, Camden.  
John C. Goodwin, Fair Grove.  
Raymond L. Whited, Flemington.  
Florence B. Browning, Hermitage.  
Harry L. Epperson, Hurdland.  
Miles M. O'Neal, Jamestown.  
Dwight E. Whitten, Peculiar.  
Velda G. Guidicy, Pevely.  
Brownlee E. Rainey, South Kinloch Park.

#### NEW HAMPSHIRE

Iona A. Jenness, Rye.

#### NEW YORK

Joseph A. McKenna, Albion.  
William H. Porter, Jr., Ancram.  
Katherine L. Downs, Aquebogue.  
Hanna A. Williams, Belleville.  
Samuel E. G. Harris, Brushton.  
Laurence E. Clark, Chenango Bridge.  
Charles F. Driscoll, Clay.  
Edward J. Drumb, Ebenezer.  
James T. Hunter, Galway.  
Margaret C. Flood, Gorham.  
Matilda Whitney, Henderson.  
Hattie R. Ballard, Holmes.  
Henry B. Goodell, Irving.  
Charles E. Denison, Niskayuna.  
Claude L. Wright, Painted Post.  
Colletta W. Potter, Port Crane.  
Beatrice F. Skinner, Portland.  
Hope C. Conneely, Richburg.  
Thomas J. Riley, Seneca Falls.  
Jay W. Cook, Verona.  
McIntyre P. Sampson, Yorkshire.

#### OHIO

Ella B. Morgan, Fairpoint.  
Oscar D. Binkley, Gettysburg.  
Neil E. Smith, Nobles.

#### OREGON

Maude H. Sitter, Myrtle Creek.

#### PUERTO RICO

Juan Figueroa, Ceiba.  
Saulo M. Gimenez, Orocovis.  
Elias Almeda Aponte, San Lorenzo.

#### TENNESSEE

Marvin M. McKnight, Bemis.

#### WYOMING

Harley G. Murphy, Thermopolis.

## HOUSE OF REPRESENTATIVES

MONDAY, MARCH 20, 1944

The House met at 12 o'clock noon.  
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most merciful Father of all the earth, in this life, the scene of victory and failure, of joy and sorrow, we beseech Thee to enlarge our conception of Thee and of Thy plan and purpose for us. Humble us in the sense of our own attainments and grant that we by faith may rest in the consciousness that wherein we are defl-